

# NATIONAL MUNICIPAL REVIEW

1952

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# The National Municipal Review

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# NEWS for League Members

## Delegates to Dine at Historic Spot

A League member in the New York City office recently telephoned the office recently and said:

"San Antonio seems pretty far away but I've never been there and it's one I especially want to see. I plan to bring my sister with me and perhaps I'll go on to Mexico City after the conference."

Actually there will be no more favorable time to see the city in which the crucial battles for Texas independence were fought and to add an economical trip to Mexico than when the National Conference on Government is held there November 17, 18 and 19.

On Sunday, the day before the Conference opens, the San Antonio Chamber of Commerce will give early arriving delegates a taste of Texas hospitality they will not soon forget. They will be taken on a sightseeing tour of

The Alamo and other early missions, the old Spanish governor's palace and other picturesque attractions.

Late in the day, delegates will be entertained at dinner at La Villita (Spanish for Little Town), a restored community older than San Antonio itself. Indians dwelling there received Cabeza de Vaca in 1568 but it was almost 200 years later that a permanent Spanish settlement was established.

La Villita, only a short distance from The Alamo, saw much bloodshed and ruin during its early and middle years but somehow it survived and kept its special flavor as the modern city of San Antonio grew around it. Thousands of tourists passed it by without realizing that by walking a block they could step back two centuries in time.

A little over a decade ago it was  
*(Continued on next page)*

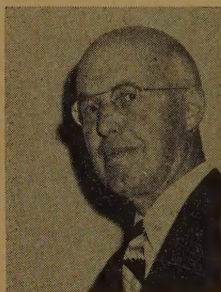
**Glimpse of La Villita, two-century old community within San Antonio, where those attending the National Conference on Government will be entertained November 16.**





## Childs and Seed Address Civic Groups

Richard S. Childs, chairman of the League's executive committee, on April 29th addressed the annual joint luncheon meeting of the Citizens Research Institute of Canada and the Bureau of Municipal Research in Toronto.



Richard S. Childs

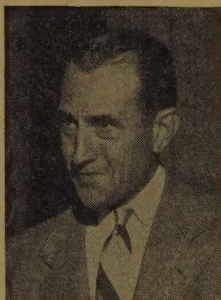
Mr. Childs, who is recognized as the "father" of the council-manager form of government, spoke about the early

beginnings and the current record rate of adoptions of the plan.

The institute is a source of information on governmental improvement in Canada.

Citizens Action, aggressive civic organization of Grand Rapids, Michigan, heard Allen H. Seed, Jr., director of field services for the National Municipal League, at its annual meeting May 14th, tell of the current nationwide civic revival.

CA, which won its spurs several years ago by ousting members of the city commission in a recall election after they had dismissed a city manager for doing his duty, currently is keeping a watchful eye on a charter commission that is seeking to bring the city's 35-year-old council-manager charter up to date.



Allen H. Seed, Jr.

Mr. Seed also spoke the same day before the Grand Rapids League of Women Voters.

## Delegates to Dine at Historic Spot

*(Continued from previous page)*

restored—an easy task because nearly all the buildings were in a fair state of preservation. Following the pattern of Spanish architecture, a wall here and a door there had to be redesigned and fitted into the general pattern; but mainly it was a job of renovation. Parts of old wells still were standing and the well which is one of the chief attractions of the "Little Town" remains exactly as it was two centuries ago.

## Low Rates Offered to Mexico City

An opportunity to enjoy an economical trip to Mexico City after the San Antonio Conference is offered by American Airlines through their "fiesta fare" rates.

For a few random examples: Continuing to Mexico City would add \$19.50 to the round-trip fare from New York to San Antonio, \$15.60 to the Boston fare, \$32.60 to the Chicago fare. The trip, including stopover in San Antonio for the Conference, must be completed within sixteen days.

American Airlines reports that all expense first class tours of Mexico are available for as little as \$13 a day including hotel rooms, meals and sight seeing.

Arrangements may be made through local American Airlines offices or travel agents.

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### Who Will Watch the Watchman?

ONE of the traditional functions of a legislature is to serve as a continuing grand inquest on the fidelity and competence of other public agencies. It is, therefore, fitting that committees of Congress should have been busy uncovering public scandals and probing problems of ethics that go to the root of our capacity for self-government.

The importance of this role of Congress and the state and local legislatures raises the question of the fitness of these bodies to serve as the people's chief censors of public morals. The Douglas Committee was right, therefore, in devoting a good deal of attention to ethical problems of members of Congress.<sup>1</sup>

A representative legislature is the very heart of any system of republican government. The legislature pretty largely determines the organization, the goals, the standards and the quality of the other branches. The moral tone of government as a whole will not for long remain much lower than that of the legislature nor can it be expected to rise permanently to a much higher level. In so far as governmental ethics is either an internal problem or one of reflecting in government the wishes and standards of the people, the primary responsibility cannot be shifted from the legislature.

Although the current fashion is to view with distaste and alarm

bureaucratic evils and evidences of easy virtue on the executive side, particularly of the federal government, there is no discernible compensatory increase in respect or affection for the legislative establishment. The fact is that the decline in public esteem for the executive was preceded by a long era during which it was the fad to disparage and deplore the legislature. The common attitude was expressed year after year in devout prayers that the people might be delivered from the ministrations of their state and federal legislators by an early end of their current sessions. Newspapers expressed gratification over legislative adjournments, taking comfort in the thought that "things might have been worse" and that now the state (or nation) could "breathe easier."

This was reckless frivolity. The American people should have recognized that they were laying up trouble for themselves in the future. They should have understood that since large-scale democracy cannot live without representative assemblies it is vital that the people have legislatures that are not only respectable but respected.

The hour for coming to grips with the sources of the long felt inadequacy of our legislative bodies is late. One reassuring fact is that the Douglas Committee and others have demonstrated that our national legislature is capable of some self-criticism. The report of the committee points to some serious evils. While it does not provide a

<sup>1</sup>*Ethical Standards in Government*. Report of a Subcommittee of the Committee on Labor and Public Welfare, U. S. Senate. Washington, D. C., 1951. 89 pages.

detailed blueprint for reform, it carries suggestions for action that the American people should heed.

The committee goes right down to the tap root of the matter when it points out that the essential integrity of government is necessarily impaired by serious deviation from a fair system of representation [which] is a sacred element in the American political system." "Yet," the committee observes, "some politicians light-heartedly steal representation from the citizens of their own states by creating grossly disproportionate congressional districts and from rival parties by gerrymandering boundaries. The same situation is often found in state legislative districts." (An understatement if there ever was one).

The report continues with disarming mildness, "The claim of Congress to moral authority is based upon its representative character, yet, have not the two houses sometimes challenged the representative principle in their internal distribution of offices?" The committee, with understandable discretion, pursues this no further but one thinks at once of the seniority system and the irresponsible power sometimes wielded by an inner circle on a rules committee or some other steering group. These or other undemocratic practices make for minority or dictatorial control of many state legislatures and a few large old style city councils.

The need for legislative reform is most acute at the state level where most of the legislatures are grossly unrepresentative, especially of urban and suburban populations

in at least one and often in both houses. Is it not worse, in the words of the committee, "to steal representation" than to steal money from the treasury or sell the influence of an office? Those who steal representation deprive their fellow citizens of the means of protecting themselves against every kind of crookedness or mismanagement.

### **Pressure Groups vs. Public**

The Douglas Committee finds that one of the basic sources of moral infection in our system is the attempt of aggressive forces to bend public policy to their own self-centered purposes without regard to the public interest. Questioning the comfortable theory that "the aggressive forces in American life" would neutralize each other, the committee observes that "sometimes they reinforce each other" and suggests that "the greatest and most subtle danger is not a challenge to the constitution or the law of the land, but it is a combining of forces to make public policies which may be completely constitutional and entirely legal but which are not in the interest of the people." Anyone familiar with the end of session scramble in a typical state legislature knows how special interests combine or bargain to enact or defeat legislation in blithe contempt of the public interest.

The evil influence of such aggressive forces is often communicated through the legislature to administrative agencies and officials. This is done partly through the warping of the law itself and partly through direct influence exerted on administrators by reason of the patronage



and money powers of legislatures, especially by senators whose "advice and consent" is required for key appointments. It is most unfortunate that influential legislators commonly have their fingers so deep in the patronage pie that they are often utterly disqualified as critics of administrative policies and behavior.

It would be hard to think of any one thing that would do more for the purity of government and politics than to get members of Congress, state legislatures, county boards and city councils entirely out of the patronage business. At the same time, membership in legislative bodies should be made sufficiently attractive to enable good men and women of ordinary means to devote proper attention to the public business without jeopardizing family security or compensating for inadequate salaries by accepting favors from special interests. It goes without saying that every legislature should have enough staff assistance to make it unnecessary to depend almost entirely, as is sometimes now the case, upon obliging lobbyists for information.

The Douglas Committee touches on these and other matters in so far as they relate to Congress. For example, it asserts emphatically that "the principle of fair procedure is as imperative in the legislative as it is in the administrative and judicial processes" and suggests the need for enforcing "the rule of fair play in debates" and for proper protection of citizens brought under fire in Congress. It also recognizes the relationship between Congressional patronage and improper influ-

ence in administration and points to the need to strengthen the federal personnel system. These and other matters are suggested as appropriate subjects for further investigation and report by a temporary fifteen-member Commission on Ethics in Government, a majority of whose members would be from private life.

### Congress Needs Discipline

Undoubtedly one reason for proposing such a commission rather than a continuing congressional committee is the recognition of the fact that Congress itself is so much involved. As the committee remarks, "Neither house has acted vigorously to tighten its discipline in moral matters or to raise its ethical standards," nor has either one "been particularly diligent in searching out and punishing questionable conduct of any of its members. It is hard for any institution to discipline itself and Congress is no exception."

This puts the whole matter squarely up to the people themselves and this, as we pointed out last month<sup>2</sup> means that "the place to start" is right in the home town and neighborhood precinct. The only people who can take care of patronage-minded Congressmen or of state senators with careless consciences are the people in their own districts and the only way they can do that in the long run is to raise standards of political ethics and action in their communities.<sup>3</sup>

<sup>2</sup>See "The Place to Start," the REVIEW, May 1952, page 232.

<sup>3</sup>See "What Can an Angry People Do?" the REVIEW, May 1951, page 239; "How Government Corrupts Politics," November 1951, page 513.



# Jersey Justice Streamlined

*Chief justice, at head of nation's only integrated court system, modernizes rules, speeds cases, raises standards.*

By WILLARD G. WOELPER\*

**N**EARLY four years have now elapsed since the constitutional revision of the judicial system of New Jersey became effective.

The new constitution replaced one more than a hundred years old, under which had existed a complex system of some seventeen classes of courts,<sup>1</sup> each separately administered and each completely independent. Practice and procedure were governed in part by a variety of statutes relating to specific courts, in part by rules adopted by the various courts, and in some instances by rules adopted by different divisions of a court sitting in one of the 21 counties.

Today New Jersey has an integrated judicial system consisting of seven courts.<sup>2</sup> The Supreme Court has complete power under the constitution to make rules governing the administration of all courts and their practice and procedure. The court has now promulgated a complete set of rules modernizing and simplifying practice and procedures and making them uniform through-

out the state, and has adopted a comprehensive set of rules governing the administration of all courts.

This was done after lengthy and careful preparation. For some eight months prior to September 15, 1948, the date when the new judicial article became effective, the justices-designate of the court worked on the task. Suggestions were invited from judges, lawyers and interested citizens, from the state and county bar associations, as well as from the chief justices of the other 47 states. Tentative drafts were submitted to lawyers and judges for criticism and suggestions. New Jersey today ranks first in having established the minimum practical standards of judicial administration of the American Bar Association.

Under the new constitution the chief justice is made the administrative head of all the courts and is granted extensive authority to assign and reassign judges from court to court and from county to county as judicial business may require. For the first time every judicial officer and all court personnel are accountable to a chief justice charged with the responsibility of administering the entire judicial system.

Here are some of the practical achievements of the new courts in the disposition of judicial business.

When the Supreme Court rose for the summer recess at the end of each of its first three years, every

\*Mr. Woelper is administrative director of the Courts of New Jersey.

<sup>1</sup>Errors and Appeals, Supreme Chancery, Prerogative, Circuit, Oyer and Terminer, Quarter Sessions, Special Sessions, Common Pleas, Orphans, Juvenile and Domestic Relations, Surrogate's, District, Justice of the Peace, Recorder's and Police, Family, and Small Cause Courts.

<sup>2</sup>Supreme, Superior, County, District, Municipal, Juvenile and Domestic Relations, and Surrogate's.

appeal ready for argument had been heard and disposed of. The Appellate Division of the Superior Court (intermediate court of appeal) did not quite equal this record but is now completely current. These appellate courts during their third year, in comparison with the appellate courts under the former system, decided 108 per cent more appeals in an average of 79 per cent fewer days between date of argument and date of decision.

#### **Case Backlogs Eliminated**

In the Law Division of the Superior Court and County Courts (courts of general trial jurisdiction) backlogs were eliminated and the list of cases awaiting trial became the smallest in the past twenty years. The current status of those cases is apparent when it is noted that 53 per cent were started within a period of less than five months and only 6 per cent were more than fourteen months old. During the three-year period these courts disposed of an average of 12,798 cases per year, 100 per cent more than were disposed of by the comparable courts prior to reorganization. Progress in the district courts showed 55 per cent of the cases pending to be less than two months old.

What are the principal factors responsible for this record? First, it has not been caused by any decrease in the basic volume of litigation, since that has remained relatively constant. Second, it has not been caused by the appointment of a greater number of judges for, on the contrary, today in the Supreme Court and in the three divisions of

the Superior Court there are only 40 judges as compared with 62 in the comparable courts under the former system. Toward the end of the first year of operations in the county courts, however, ten part-time judges were placed on full time.

There can be no question but that the principal factors responsible for the present status of the calendars are: (1) a simplified court structure which permits judges and lawyers to operate more effectively; (2) a simplified practice which has eliminated many needless technicalities and which establishes pretrial procedures designed to shorten and simplify trials and encourage settlements; and (3) a system of judicial administration designed to obtain the most effective use of the time and abilities of each judge where and when he is most needed. In general in New Jersey a litigant can today be assured of a prompt hearing in any of the courts and a prompt decision after the hearing.

One feature of the new judicial establishment is the Administrative Office of the Courts. It is the first comprehensive administrative office to be established in any state judicial system, although partial advances have been made in a few states. The real need for such an office is manifest. The powers of the Supreme Court to make rules governing administration and practice and those of the chief justice, as the administrative head of all of the courts, to assign and reassign judges from court to court and county to county can only be exercised effectively if it is known to what ex-



tent the rules are operating efficiently and what the exact status of the judicial business is.

Some idea of the variety and magnitude of the administrative problems involved may be obtained if we consider that during their 1950-51 year the courts disposed of 43,169 civil cases. On the criminal side the municipal courts handled 639,697 cases, including all parking and traffic tickets. Consider also that the chief justice has under his supervision 581 full-time and part-time judges, not to mention the numerous clerks, sergeants-at-arms, stenographic reporters and a host of other employees.

#### **Administrative Staff's Duties**

Since the chief justice and the Supreme Court are actively engaged as the court of last resort in hearing and deciding appeals and other judicial matters of paramount importance, there must be an effective administrative staff which can devote full time and energies to the task of keeping the court and the chief justice advised as to the status of judicial business and which can execute the details of the basic policies which have been established.

The collection and analysis of statistical data on the work of the judges and the status of judicial business has been the major undertaking of the Administrative Office. It has concentrated rather largely on what may be termed operational statistics. The basic inquiries have been: (1) What has been done? (2) What is being done? (3) What remains to be done? Originally this approach was made necessary by the

large arrearages which had developed on many court calendars, but it is always essential to enable the chief justice to utilize the available judicial manpower at maximum efficiency and make adequate plans for the future.

The statistics have been gathered from two principal sources: the judges themselves and the clerks of the courts. Each judge is required to submit a report at the end of each week on the business he has transacted in court. This report shows the number of hours he presided on the bench, the names of cases heard, their nature and outcome, and any cases or motions remaining undecided.

The weekly reports have proved invaluable not only for the factual data furnished for the information of the chief justice and the Supreme Court but as a means of bringing to the attention of each judge the status of his own work, and as a reminder to him to take action where counsel have failed to file briefs on matters pending. Where there appears to be an unusual delay in deciding a case or motion the chief justice directs the administrative director to request the judge in question to report on the matter.

There can be no doubt that these reports have in large part been responsible for the truly remarkable record which our judges have achieved in disposing promptly of all matters submitted for decision. On August 31, 1951, for example, out of a total of 60 judges in the Superior Court and county courts, 51 had decided all cases and motions which they had heard.

Weekly summaries on various phases of these reports are prepared for the use of the chief justice. They have not only kept him advised as to the work of each judge and, therefore, advised either as to his need of assistance or his availability for further assignments, but have also revealed deficiencies in the methods of handling court calendars. The summaries of the hours spent by each judge on the bench revealed that in a number of counties methods of calendar control were such that valuable trial time was being lost by last minute adjournments or settlements. In many instances where cases scheduled for trial could not be heard, no adequate means were available for substituting other ready cases. The Supreme Court appointed a committee to investigate; as a result, improved procedures were prescribed.

The monthly report from the clerks of the courts shows the status of their trial calendars. These indicate the number of cases pending at the beginning of the month, the number disposed of by trial or settlement during the month, the number of new cases added, and the number awaiting trial at the end of the month. This last figure also contains a breakdown of the ages of the cases awaiting trial.

These statistics enable the Administrative Office to advise the chief justice and the Supreme Court of the current status of judicial business and of the situation of each judge. Where the calendar of a particular court and judge is light, it is immediately apparent that he is available for assignment elsewhere.

Similarly, where the trial calendars are congested and judges are falling behind in their work, their need for assistance is apparent.

While temporary assignments of judges can be made, and are made, on short notice where an emergency arises, most temporary assignments are made a month in advance not only to better suit the convenience of the judges involved but to enable the clerks to adjust calendars.

#### Special Studies Made

The Administrative Office has made a series of special statistical studies for the use of the Supreme Court, the governor and the legislature. The Supreme Court, for example, has been particularly interested in improving standards for admission to the bar. In this connection the Administrative Office made an exhaustive analysis of the records of applicants for bar examinations during the past ten years, giving particular emphasis to educational backgrounds and to the number of times each applicant took the examinations.

In another instance, where the legislature was considering an increase in the statutory jurisdiction of the county district courts from \$500 to \$1,000, a statistical analysis was made of the size of the verdicts in the superior and county courts over a period of five years, to determine to what extent such an increase would result in a shift of litigation from these courts to the county district courts.

During the first months of operation of the Administrative Office a major phase of activities turned



on its function as a clearing house for a great variety of inquiries from judges, lawyers, officials and the general public with reference to the new system of courts and the new rules of practice and procedure. The Administrative Office has continued to serve as a channel through which any complaints or suggestions relating to the judicial establishment may be funneled.

Under the rules of the Supreme Court provision is made for a judicial conference of all the judges, the attorney general, county prosecutors, representatives of the legislature and approved law schools in the state, delegates from the state and county bar associations and laymen. The conference is held "to devise means for relieving congestion of dockets where this may be necessary, to improve procedure in the courts, and to exchange ideas with respect to the administration of justice." The administrative director is secretary of the conference and, in addition to furnishing statistical data for its consideration, has been responsible for the receipt and organization of proposals submitted and has prepared the agenda and reports for the meetings.

#### Conference Aids Rule-making

The judicial conference has already established itself as one of the most important and effective agencies in the rule-making process. It has been a continuing source of aid to members of the Supreme Court, all of whom have agreed that their rule-making duties are among the most arduous imposed under the constitution. Out of the discussions

and recommendations emanating from the judicial conference have come each year a series of amendments and new rules.

As to fiscal and business affairs, prior to September 15, 1948, state funds for the judicial system were appropriated and expended under more than five separate budgets, each of which was prepared and administered independently by a different official: the Court of Chancery, the clerk of the Court of Chancery, the Supreme Court, the clerk of the Supreme Court and the Court of Errors and Appeals. Under the new system the Administrative Office is charged with preparing and administering a single budget for all state moneys to be expended on the courts. As approval officer, the administrative director now prepares a single payroll in lieu of the five existing formerly. He is responsible for determining what supplies and equipment shall be purchased and is required to make arrangements for the accommodations of the courts, the judges and their staffs.

There can be no doubt that general public respect for law and order is based in large part on the just and efficient operation of the courts. Unfortunately, the public press does not ordinarily assign its reporters to "dig out" material for featured articles on the smooth and efficient operations of the judicial system or on the faithful and conscientious work of judges. All too frequently the reader of our daily newspapers finds the only mention of the judicial system in articles on the delays or technicalities of justice

(Continued on page 315)

# New County Plans Offered

*New York repeals its old unused law, which provided many variations, and substitutes four basic government forms.*

By RICHARD A. ATKINS\*

**F**OR FIFTEEN years New York State counties have had a wide variety of optional plans of county government available to all of them except those in New York City. Only Monroe County, which includes the city of Rochester, ever adopted one of the alternatives, when it chose a county manager plan in 1935.

The 1952 session of the legislature, following the recommendations of the Uniform County Law Commission, substituted four basic options, with variations, for the multiplicity of plans offered by the original statutes. These revised options are now in force. The repealer of the old laws takes effect in 1954.

The legislature has also started on its way a constitutional amendment which mandates the legislature to set up machinery under which counties may draft, adopt and amend special forms of government for themselves. The amendment must be passed by the legislature again next year and then go to the voters for approval.

Interest in county management in upstate New York goes back at least one full generation. Conditions following World War I resembled those which followed the second world conflict. It was a period of adjustment, greatly complicated by

inflation. As a consequence, New York State launched an inquiry into the state tax system and the organization of local government.

Much of the original leadership fell to then State Senator Frederick M. Davenport and the commission which carried his name conducted a study of local affairs during the early 1920s. After the commission investigated city government, it turned to the other civil subdivisions. Its members were impressed with the incohesive structure of county government and need for introducing control devices which were gaining favor in municipal administration. The commission foresaw a place for a county executive. With considerable insight it offered the thought that the powers of the clerk of the board of supervisors might be strengthened so that he could fulfill the functions of such an executive pending development of alternatives to standard county government.

Once the trials of the period following World War I had been surmounted, interest in county reorganization subsided. Little was heard on the subject until the depression era. Then a commission under the guidance of State Senator Seabury C. Mastick began a long and arduous effort to steady the course of state and local finance in New York. The Mastick commission picked up the threads of the Davenport inquiry and entertained ambitious views for

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the reorganization of local government. Counties were to have played a pivotal part. The research staff of the commission pictured the county as a natural unit to assume many of the responsibilities of smaller subdivisions and by transfer of powers and functions to eliminate what appeared to be a large amount of duplication in such areas as tax assessment and collections, highways and welfare administration.

#### **Optional Plans Adopted**

Pressure for economy lent urgency to the findings of the Mastick commission. It drafted plans for county manager government patterned upon city manager precedents. Concrete expression appeared in the first Buckley act of 1935, which contained two optional county government plans—one calling for an executive elected at large by the voters of the county, the other for a county manager appointed by and responsible to the board of supervisors. The Buckley act options were somewhat restricted in scope and reflected uncertainty as to what could be done in the absence of constitutional changes later approved by the voters in 1935.

Monroe County acted immediately under the manager option and the plan was accepted by the voters. The Monroe County manager charter was sponsored by the Democrats but, with a turn in political fortunes, the Republicans initiated the county manager program and guided the transition from the standard form. After a period of vicissitude, largely explained by failure of the Buckley act to dovetail with general county law, the Monroe County program

shook down and has since enjoyed confidence and success. County manager government has gained a reputation for quiet competence, accomplishment and effective administration.

The constitutional amendment adopted in 1935 and modified in 1938 required the legislature to provide alternative forms of government for counties outside New York City as well as methods for submitting such options to the voters of a county. It also permitted much more elaborate alternative forms of county government. Constitutional changes lifted restrictions against abolishing county offices, transferring local functions and altering the relation of the county to other units of local government.

In accordance with its mandate the state legislature passed three major acts in 1936 and 1937 encompassing a variety of optional plans, further entailing many subsidiary permissive features. It then became possible for upstate counties to make changes in existing structure ranging all the way from relatively minor modification to the most comprehensive reorganization.

Separate action was taken in Westchester and Nassau Counties to secure elected county executives under special law. These special charters were the outgrowth of particular demands for change in counties which are substantially in a class by themselves. Both, of course, are thickly populated and rapidly growing suburban sections of the New York metropolitan area, and each presents a set of problems typical of the suburban complex.

Availability of alternative forms of county government served to quicken interest upstate. Preliminary action occurred in the populous counties and in a few instances the question of county change was taken to the voters. A county executive plan narrowly failed in Erie County. County manager government was a subject of contention in Onondaga County for two or three years just prior to the second world war. Onondaga County experience was unfortunate in the sense that a moderate and well balanced plan failed after an earlier and less realistic move toward county reorganization had fallen of its own weight. The war intervened and once again the issue subsided.

#### **Growth in County Duties**

The question refused to die in the populous counties, however. Continuing interest could be traced to the presence of groups naturally disposed to improving county government and to tendencies which are becoming more and more evident. In the large counties, those which embrace a sizeable central city such as Rochester, Syracuse or Buffalo, there has been a surprising growth in county government and county activities. Metropolitan influences contribute to the result, and the state of New York as a matter of policy has tended to use the county as an administrative district in expansion of established services and development of new functions of government.

While New York State counties are traditionally judicial districts, with added responsibility for highway administration and institutional

care, the inherited pattern is being affected by the emergence of more nearly municipal functions. This interesting development has been most conspicuous in Erie County, which has taken up the burden of welfare, libraries and health.<sup>1</sup> The trend is plainly visible in Monroe and Onondaga Counties and is assuming noticeable proportions elsewhere. Growth has imposed strains upon standard county government which are apparent to outside observers and to thoughtful and responsible county officials.

Growing importance of county government underlies many of the refinements which will be found in the recent revision of the standard county government law. Progressive legislation in 1950 flowed from the labors of the Uniform County Law Commission under the leadership of Assemblymen Harry R. Marble and Allan P. Sill. The Uniform County Law Commission, appointed in 1944, took several years to complete its work and results show grasp of the enlarging significance of county government. Among other things the revised standard law clarifies the powers of the board of supervisors, introduces procedural improvements in county finance and extends a liberal grant of home rule power to upstate counties.

When the Uniform County Law Commission completed its initial assignment, it turned to the fifteen-year-old optional county government statutes. With some reason the commission could conclude that, aside

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<sup>1</sup>See "Erie County Gets New Tasks," the REVIEW, November 1948, page 534.



from Monroe County, progress under these statutes has been non-existent. It could also argue that the complexity of the law discouraged local action. Members of the commission have included legislative leaders and county officials with an intimate personal background of local government and with only a qualified disposition toward the more preconceived approach which had been followed by draftsmen of the original county government options.

It so happened that the work of the Uniform County Law Commission coincided with a fresh attempt in Onondaga County to revive an executive plan of county government. There a program was offered by the Syracuse Governmental Research Bureau modeled on Monroe County experience. When sufficient interest in the research bureau program had been stimulated, especially in the town areas of the county, the county leadership sought an alternative which would retain the essential features of a manager program but which would avoid certain features contrary to the settled views of county officials.

Those immediately involved agreed to the appointment of a joint committee of county officials and representative citizens to frame legislation which would be mutually satisfactory but which would not sacrifice the principles of executive management. Shortly after the joint committee convened, it merged its efforts with those of the Uniform County Law Commission on the assumption that a good general law would be preferable to a special Onondaga County statute.

The Uniform County Law Commission put a draft of a revised alternative county government law in the 1951 session of the legislature with no thought of enactment. It was designed for study purposes and in the interim the commission made several desirable changes in its bill and solicited the views of interested individuals. While the commission was rounding its measure into final shape, further interest in county management was manifested in Oneida County, where an official group, with staff aid from the Utica Bureau of Municipal Research, submitted an excellent report calling for changes more in line with the Mastick commission proposals for county government reorganization than with the limited program which was to be introduced into the 1952 legislature by the County Law Commission.

#### Old Options Toned Down

The new alternative county government law as enacted in the 1952 session represents a toning down of the earlier laws which it will supplant. Options have been narrowed and permissive features have been restricted.<sup>2</sup> In short, the law might be said to mirror the ideas of those brought up in close contact with county government, entirely sympathetic to the concept of a county executive but not inclined toward broad organizational changes except as they originate locally with the board of supervisors under home rule.

The alternative county govern-

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<sup>2</sup>See page 309, this issue.

ment law is also deferential to the towns. A special majority feature whereby acceptance of a county executive plan would depend upon favorable majorities both in the cities of a county as a unit and the towns of a county as a unit has been reinstated despite the fact that present constitutional provisions impose no such limitation. To clinch the matter, the commission has accompanied its law with a constitutional amendment which would rivet the double majority requirement in place.

#### **New Forms Available**

The alternative county government law contains four basic options:

*County president form*—providing for an executive elected at large by the voters of the county,

*County manager form*—providing for an executive appointed by and responsible to the board of supervisors,

*County director form*—providing, with some modifications, for an executive appointed by and responsible to the board of supervisors.

*County administrator form*—providing for the appointment of a nominal administrative officer with restricted authority.

The president form is a carry-over from the earlier laws and bears a parallel to the Nassau and Westchester County charters. The administrator form represents the opposite idea and calls for no more than a nominal head to the county government. Under the new law the chairman of the board of supervisors could serve as administrator.

Thus the plan merely represents an extension of the responsibility which the chairman of the board now assumes.

The county manager and county director options are not far apart. The county director is explicitly subject to the board of supervisors so far as appointments and the initiation of organizational changes are concerned, and the director option places a resident qualification upon the county executive. Both the manager and director plans transfer executive and administrative supervision over most county departments from the board of supervisors to the executive. These plans vest the manager or director with considerable power and give him control over preparation and enforcement of the county budget.

The county manager serves for an indefinite term and is removable by a majority vote of the board of supervisors for any reason at any time, whereas the county director serves for a four-year term and is removable only for specified serious reasons by a two-third vote of the board.

The manager or director becomes responsible for the conduct of the financial affairs of the county, including budgeting, treasury functions, purchasing and contracting. A county comptroller, with responsibility for accounting control and approval of payments, would become head of a department of audit and control. Under the county manager form he would be appointed by the board of supervisors; under the county director form he would have an independent elective status unless



specifically provided otherwise in the ballot question.

Some slight organizational changes are required and the law allows the county executive and the board of supervisors, working together, to make further changes which they deem necessary. There is considerable flexibility in the revised county options since the board of supervisors can add to responsibilities of the executive as it sees fit. The plans are, therefore, to some extent a framework rather than a finished product. Elective officers would in general retain their current status, except for the treasurer, who becomes appointive head of a finance department. However, any elective officer except supervisors and judges could be made appointive by special vote of the people. Certain miscellaneous officers or boards might still answer directly to the board of supervisors.

Under the alternative county government law the board of supervisors continues as the legislative and policy determining body of the county. No change is required in the method of election or membership of the board. The board of supervisors would retain final control over appropriations, county debt, the compensation of county employees and

local legislation. The board would have authority to guide the county through the transition from the standard form of county government to an executive plan.

The new law leaves town government alone. The plan does not infringe upon town affairs—it does not mean any arbitrary change in town functions. Permissive features in the law allow some rearrangement of governmental functions, but these features are in no sense a part of the basic executive options. Each such feature, if it appeared on the ballot at all, would be separately voted on.

Counties seeking individual solutions still have recourse to the old county charter commission law of 1934, but there are limits to the changes which such a commission could propose. Elsewhere the new alternative county government offers an opportunity for improvement. More important, it represents a fresh start. Populous counties are certain to grow in responsibility. With the trend already established and its future direction plainly forecast, it is reasonable to anticipate that county government will come to include executive management, firmer administrative controls and more efficient organization.

# For Defense or Disaster

*Program of preparedness for local catastrophes offered as standby for war and way to get citizen participation.*

By **GLENDON A. SCHUBERT, JR.\***

**E**FFECTIVE organization of civil defense as a nation-wide, permanent function of government has met with stubborn resistance. The major obstacle is a natural distaste for thinking about the possibilities of destruction by atomic explosives. This popular attitude is reflected in Congress which has thus far done little beyond admonishing the states to do something about the situation. The evidence is against the view of the ex-military state civil defense administrator of a large industrial state that the way to get Americans to cooperate with the civil defense program is to "scare the hell out of them" with atomic bombs.

A more hopeful possibility for overcoming inertia is the merging of civil defense efforts with a general disaster control program. This possibility was suggested by Governor Alfred E. Driscoll, speaking on New Jersey's statewide civil defense alert of April 29, the first in the nation involving public participation since the war. Although these exercises took the form of an air raid warning alert, the governor, explaining the need for civil defense, declared: "While the immediate efforts of civil defense are directed toward the war emergency, their long-range planning has

been with one eye on the peacetime benefits."

The governor pointed out that New Jersey has had its share of disasters—a hurricane, a major explosion, train and airplane wrecks, fires and floods. "The men and women volunteers who make up the New Jersey Division of Civil Defense are giving New Jersey something we couldn't buy," he commented, "the backbone of an organization that some day will operate, from one end of New Jersey to the other, permanent peacetime disaster control."

There are two principal statutes which form the basis for federal disaster policy and operations. The federal disaster act (Public Law 875) approved September 30, 1950, appropriated \$5,000,000 to be expended under the direction of the president to support the activities of any federal agency in assisting state and local governments faced with a "major disaster." Such a disaster must be so designated by the president on request of the state governor(s) concerned before action may be taken. The inadequacy of the amount was demonstrated in July 1951, when Congress appropriated an additional \$25,000,000 to support disaster relief operations in the areas hit by the Kansas - Missouri - Oklahoma - Illinois floods—an increase of 500 per cent to provide for a single catastrophe.

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This pattern is being repeated on an even larger scale for the May 1952 Missouri-Mississippi floods.

The other statute was the federal civil defense act of 1950 (Public Law 920), approved January 12, 1951. Apart from bomb shelters and materials for stockpiling, it contemplated an appropriation by Congress of not more than \$240,000,000 for equipment, training, research, communications, publicity, organization and similar objects during the three-year period ending June 30, 1954.

#### **FCDA Functions**

The Federal Civil Defense Administration had already been created by the president's executive order of December 1, 1950, and this agency was given statutory status and responsibility for coordinating activities under the federal civil defense act. There is no apparent recognition in that statute of any kind of disaster except that caused by enemy action, so the legal powers and responsibilities of the FCDA have been limited thus far. Pending the completion of the organization of FCDA, presidential authority under the federal disaster act was delegated by executive order of March 2, 1951, to the Housing and Home Finance Agency. The understanding was that this was of an interim nature only.

Now that FCDA is completing the staffing of its regional offices, an agency Committee on Disaster Relief has recently submitted its report to the deputy administrator of FCDA, recommending that HHFA functions under the federal disaster act be redelegated to FCDA so that

federal responsibility for both natural and enemy-caused disasters will be integrated in the same agency. This is certainly a logical and desirable step and appears to have the support of state and local civil defense organizations.

Our national policy of "half a loaf" for civil defense has been matched by inadequate state appropriations with the result that the problem has been kicked on down to the local governments. But lack of funds is not the only handicap with which civil defense has been saddled.

Lip service is frequently paid to the principle that civil defense is essentially a problem of civil administration—the statement of the New Jersey Civil Defense Plan is characteristic: "Civil defense is and must remain a civilian function." But the pattern of organization, the language, the concepts and the approach of the plan itself are permeated with militaristic thinking. New Jersey, Wisconsin, Michigan and Ohio are no different from their sister states in their apparent assumption that retired army officers are the individuals best suited to fill the positions in the state hierarchy of the civil defense organization.

Moreover, we have been particularly shortsighted in our approach to the reconciliation of area and function in having selected counties, or groups of counties, as the basic unit of state regional organization. Plainfield, New Jersey, for instance, is the center of a metropolitan area within the outer limits of the Greater New York Area.

Putting to one side the obvious desirability of a single regional civil defense administration for the New Jersey-New York-Connecticut metropolitan area, at least it should not be necessary to put North Plainfield, Plainfield and South Plainfield—each located in separate counties but actually forming one urban community—into three different disaster districts whose headquarters are at great distances from one another, with no central point of coordination short of state headquarters.

It would be much more effective to divide the state into natural regional units centered around such metropolitan areas as Plainfield, with its hospitals and efficient police and fire equipment and with communications ranging from commercial radio stations to short-wave, two-way radios in taxis.

Perhaps even more important than any of these external limitations upon the several thousand local units of civil defense administration is the generally limited conception of the job to be done and of how best to do it. The very label that has been accepted for this function—civil defense—implies a more or less passive resignation to the unpleasant duty of salvaging as much of our human and material resources as may be possible when "Der Tag" arrives.

We are preoccupied with the catastrophic effects that atomic bombs dropped on our major cities will have. We certainly cannot neglect to prepare for such contingencies, but there are limitations to homeo-

pathic therapy. The administrative problems of recruiting, equipping, training and retaining over an extended period of time—perhaps one year, perhaps five, perhaps ten, perhaps longer—a staff which can do little except engage in dry runs, and which can acquire no realistic experience until after it is called upon to act in a moment of crisis, are already considerable. They will probably grow more difficult if time passes and no bombs fall. Even if our anxiety remains unlesened, there will be the tendency to sublimate our fears by ignoring them.

#### Something to Do

If civil defense is to depend upon the efforts of millions of citizen volunteers, they must be given something to do that has some immediate and continuing goals and social values in addition to the long range objective. Apart from employees of local governments, those with most to contribute—technicians such as communications specialists, professional people and World War II veterans—are not going to be interested in serving in an organization which, rightly or wrongly, they associate primarily with lady air raid wardens searching the heavens with binoculars for enemy aircraft.

A characteristic example of this point of view is found in the March 1952 *Monthly Bulletin* of the League of Women Voters of Lancaster, Pennsylvania. Following the announcement of an address by a retired army officer, on the subject "Atlantic Union and Defense," there is appended: "N. B. The subject is not *civil* defense." (Emphasis in the original.)



Nevertheless, there is a job, a socially important job, that the volunteers can do right now which will contribute most to their future effectiveness if and when the time comes to act in the crisis of an enemy attack. This, however, necessitates redefinition of the mission of civil defense organizations at all levels of government in terms of disaster planning and operations.

Thirty-one states already make statutory provision for the use of civil defense organizations to cope with natural as well as enemy-caused disasters. The importance of such legal authorization was dramatically illustrated during the mid-west floods of July 1951. Missouri lacked such a law and was handicapped; right across the river in Kansas civil defense forces were authorized to operate during such a disaster and were in fact active.

There are many other less publicized instances in which local civil defense organizations are being called into action, even in the absence of specific plans and organizational relationships, to cope with civil disasters. When a spot tornado struck York, Pennsylvania, on April 5 of this year, inflicting \$1,000,000 damages within less than half an hour, the local civil defense organization was called out and became a major force in dealing with the catastrophe.

There can be no doubt of the general and nation-wide need for such services. The question is: should civil defense forces be called out in a sporadic and uncoordinated manner, or should we recast our

premises to countenance the handling of civil disasters as the norm and the meeting of enemy-caused disasters as an abnormal but inescapable contingency?

#### **Coordination Achieved**

Such a change in emphasis and direction has already taken place in one regional civil defense district in New Jersey, where disaster operations as defined above are authorized by both the governing civil defense statute and the state civil defense plan. Raritan Area (Middlesex County) was visited by three major civilian disasters in less than a year: the ammunition ship explosion at South Amboy in May 1950, the near hurricane of November 1950 (which was significant because it demonstrated what can happen when methods of communication are destroyed), and the Woodbridge train wreck of February 1951.

In each of these cases, confusion and waste did not arise because there were too few ambulances, insufficient hospital beds, not enough doctors, or for lack of police and fire personnel and equipment, lack of volunteer citizen assistance or inadequate publicity of the fact of disaster. The problem was one of abundance, of the lack of a coordinated plan of action, of any common source of administrative authority to integrate and to control the utilization of the resources available.

The logical agency to move into this vacuum was the Raritan area civil defense organization, and it has done so. Existing community facilities, such as police, fire, hospital,

ambulance, public works equipment, communications, transportation and public information, are now under the central direction of the Raritan Area Control Center. On May 17, 1951, for instance, a mobilization plan for the coordination of the activities of the area's 24 first aid and rescue squads with those of the five general hospitals in the county (as well as the five in neighboring counties on the borders of Middlesex), physicians, and medical supplies was agreed upon by representatives of the local rescue squad organizations and the director of the medical, health and welfare division of Raritan Area.

The medical services plan would nevertheless be ineffective if it were not tied in with similar mutual aid pacts among the police and auxiliary police units and the fire departments, both professional and volunteer. Area Control Center, located in the stadium of Rutgers University about two miles from the center of New Brunswick, is able to direct the utilization of special engineering equipment as it may be needed, the use of emergency transportation to evacuate non-casualty personnel, and should be—but is not—in a position to call upon similarly organized reserve resources in neighboring counties in the advent of a catastrophe which surpasses the competence of the area's forces.

Some of the experiences that induced this kind of cooperation, and the acceptance of central control and direction of all community facilities, were pretty bitter. Eighty-three people were killed and over three

hundred injured in the Woodbridge train wreck. Local radio stations remained silent about the wreck after one experience with community panic at the time of the ammunition ship explosion. Many ambulances could not get through to the scene without considerable delay, however, because a radio station in New York City broadcast a general appeal for volunteer help and the roads within a mile of the scene were choked with do-gooders, relatives and sight-seers. Those ambulances that did get to the scene took patients to hospitals that were already filled to the corridors with patients and relatives instead of to others with plenty of room only a few more minutes distant. No one was in effective charge of anything at the scene itself. A newspaper reporter's interview with the local police captain is illuminating:

#### **Wants Professional Aid**

Q. "Did you call in civil defense?"

A. "No."

Q. "Why not?"

A. "Frankly, I never thought of it."

Q. "Would you have called them in if you had thought of it?"

A. "No. I needed professionals and not amateurs."

This is similar to the point of view of City Manager L. P. Cookingham of Kansas City, Missouri.<sup>1</sup> Although I concur in all that Mr. Cookingham says, in so far as his remarks apply to Kansas City and

<sup>1</sup>See "A Plan to Meet Disasters," the REVIEW, February 1952, page 74.



other cities of similar size, it by no means follows that his prescription is valid for the majority of Americans who live in rural and suburban areas. Even though included within the Census Bureau definition of the New York metropolitan area, Raritan includes many relatively small units of local government and lacks a full cadre of well staffed and professionally led municipal forces.<sup>2</sup>

The problem in Kansas City may well be the coordination of civil defense and other volunteer forces under the direction of the municipal chief executive who already has the political and administrative authority to act in what is at least a major segment of the disaster area. Even Mr. Cookingham refers, however, to "the added problem of cooperation with the other governmental units comprising the metropolitan area of Kansas City." The city manager's desire for autonomy in his own bailiwick is understandable, but it differs from the position of the Woodbridge chief of police not in kind but only in degree.

The over-all problem of coordination exists in either case, but it is particularly acute in a suburban region where any major disaster will be beyond the capacity of the orthodox units of local government. Here, as in Raritan Area, the civil defense organization must fill the gap in the generally decentralized structure of local government and provide the nucleus of administrative direction and control that exists within the legal boundaries of the large city.

Although considerable assistance can be given to the development of disaster control organization through insistence upon the present military emergency, the disaster control organization will not itself be well organized if it is considered to be only a small part of civil defense activities. It would be much better to place the greater emphasis on the general civil disaster operations program, and to think of this as a permanent part of the protective facilities of local government rather than as an emergency phenomenon.

### Shift of Emphasis

What specific benefits can be anticipated from a general shift in emphasis to administrative preparedness for all major civilian disasters that may, and inevitably will, take place? Disaster planning and operations will make it possible to: (1) induce more intensive and more sustained citizen interest and participation; (2) provide experience for the personnel who must cope with an atomic emergency if and when that arrives; (3) create administrative arrangements for the planned, co-operative utilization of existing community facilities so that emergency operations will become a matter of standard operating procedure; (4) save civilian lives and property that would otherwise be needlessly destroyed; and (5) induce greater legislative support by proffering a program which offers real, immediate and measurable benefits in which local electorates, as such, can become interested.

<sup>2</sup>See "Volunteer Rescuers on Guard," the REVIEW, November 1951, page 527.

# News in Review

City, State and Nation . . .

Edited by H. M. Olmsted

## Reorganization Proposed for District of Columbia

### *Aim of Governmental Efficiency Furthered*

THERE has been much discussion and controversy among officials and citizens of Washington, D. C., concerning reorganization of the District of Columbia government proposed by the district commissioners and the Federal Bureau of the Budget. President Truman on May 1 transmitted to Congress a plan under authority of the reorganization act of 1949, representing chiefly the ideas of the district commissioners and giving them substantial power to reorganize administration. The plan of the Budget Bureau was a modified council-manager form, necessarily with the council not elected but appointed by the president, as is the case now.

In his message to Congress the president expressed his desire for district home rule but stated that this could not be accomplished under the reorganization act. He urged enactment of home rule legislation.

The plan proposed is known as Reorganization Plan No. 5 of 1952. If not rejected within 60 days by either house by a majority of its total membership, it will become effective.

The District of Columbia has a unique commission type of government, which dates from 1874 when Congress suddenly terminated self-government and created a temporary three-member commission appointed by the president to administer district affairs pending development of a new plan. Four years later, no plan having been worked out, the appointive three-

member commission with modifications was made the district's permanent governing body. Since then the government has grown without plan until it now consists of some 80 separate agencies of which 50 are boards or commissions. While the board of commissioners is the legal head, it lacks effective control over many of the agencies.

The reorganization plan does not, itself, reconstruct the district government. Instead, it empowers the board of commissioners to effect a general reorganization. This is done by first transferring to the board the functions of all but thirteen of the 80 odd agencies and their officers and units, abolishing the agencies and then authorizing the board to delegate its functions to such officers and agencies as it may provide.

The combination of these provisions will give the board complete control over the organization and administration of most of the district government other than the school and library systems. The board will be able, if it sees fit, to consolidate the government into a reasonable number of departments and even to establish a manager or other chief executive officer to supervise and direct administration. The commissioners have pledged themselves to organize the government into departments, but they have also strongly opposed the creation of a manager to perform the supervisory functions now divided among the commissioners with respect to assigned groups of agencies.

The president's plan follows the lines proposed by the board early last winter. At the suggestion of the president an alternative proposal was developed by the Bureau of the Budget



which would have substituted for the three-man board of commissioners a commission of five to nine, created a manager to be appointed by the commission, and consolidated administrative agencies into ten departments. The proposal was vigorously attacked by the Board of Trade and part of the press which, for a number of years, have led the fight to prevent legislation providing self-government for the district. The attack on the bureau's proposal stressed the assertion that the community had not been consulted in the development of the plan and that manager government is not being used by any city as large as the district. A real though unexpressed cause of the opposition, however, is believed to have been the fear that the creation of a larger governing body, even though its members necessarily would have to be appointed by the president rather than elected, would assure a measure of popular representation in the local governing body, including some representation of Negroes who make up one-third of the population.

Though the plan proposed does not assure an adequate reorganization, it does make possible a major simplification and modernization of the district government.

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### ***Council-manager Plan Developments***

The council-manager plan was adopted in **Washington, North Carolina**, (1950 population 9,698) on December 7 by a vote of 786 to 551.

**Woodstock, Illinois**, (1950 population 7,192) voted 1,421 to 942 on April 29 to adopt the provisions of the council-manager enabling act. This was one of the largest votes ever cast at a special election in that city. The plan was backed by a coalition of the Civic and Independent parties, the new mayor, the new city clerk and at

least six of the eight aldermen. It takes effect after the organization of the council under the new mayor and the employment of a manager.

The borough council of **Sharpsville, Pennsylvania**, (5,414) has adopted the council-manager plan by ordinance.

**Needles, California**, (4,051) voters adopted the council-manager plan on May 8 by a two-to-one majority.

**Sylvania, Georgia**, (2,939) on April 15 adopted a council-manager charter drafted by a charter commission.

The city council of **Coon Rapids, Iowa**, (1,676) voted on April 7 to establish the manager plan by ordinance according to Iowa's optional manager law.

The **Massachusetts** Supreme Court in an advisory opinion on April 11 held that no town can amend a town manager charter to any substantial extent without specific state enabling legislation.

At a meeting on April 23 in **Beckley, West Virginia**, attended by city councilmen and others interested in charter revision, Dr. Carl Frasure, head of the Political Science Department at West Virginia University, agreed to a request to submit alternative council-manager plans to the Charter Revision Commission. The commission has recommended a permissive manager plan, discretionary on the part of the city council. Dr. Frasure indicated preference for a definite charter provision for a manager as chief administrative officer rather than a subordinate of the mayor.

Petitions have been circulated in **Marietta, Ohio**, for a vote at the next election on adoption of the council-manager plan.

A proposal to adopt the council-manager form of government in **Nicholasville, Kentucky**, was defeated by a vote of 908 to 234.

Four cities in **Illinois** have defeated proposals to adopt the state's optional

council-manager plan law. In **Bushnell**, voting May 13, the vote was 1,258 to 236 against the plan; in **Quincy**, voting May 20, 7,772 to 7,014; in **Galesburg**, the same day, 5,195 to 4,748; and in **Olney**, voting May 27, 1,446 to 535.

A citizens' committee to campaign for the manager plan has been formed in **Rock Island, Illinois**.

The Rotary Club and various other organizations in **Monmouth, Illinois**, are interested in the manager plan.

Voters of **Chisholm, Minnesota**, defeated a charter amendment providing a city manager 1,129 to 475.

At a meeting held under the sponsorship of the Citizenship Committee of the Lions Club, representatives of the Junior Chamber of Commerce, CIO, AFL, League of Women Voters and other local and statewide groups discussed ways and means of enabling **Indiana** cities to adopt the council-manager plan.

In **Topeka, Kansas**, a Committee for City Manager Government has been formed to secure adoption of the plan. It is expected that petitions will be circulated shortly. The League of Women Voters is assisting in the campaign.

The Civic Betterment Committee of the Junior Chamber of Commerce of **Birmingham, Alabama**, is studying the council-manager plan with a view to sponsoring state legislation to make the plan available for cities.

In **Webster Groves, Missouri**, a movement in favor of the manager plan has been started.

At the city election in **Slaton, Texas**, a proposed charter amendment to permit a popular vote on adopting the manager plan was defeated, 347 to 137. The present charter specifies that Slaton cannot have the manager plan until it attains 12,000 population. The 1950 census showed 5,036.

A campaign for the manager plan is under way in **Helena, Montana**.

At an election on April 8 in **San Leandro, California**, which has had the manager plan since 1928, a proposed charter amendment to make the mayor elective instead of being chosen by the council was defeated 2,835 to 2,645. Another proposition, adopted 3,123 to 2,307, provides for nomination of six councilmen by districts and one at large and the election of all councilmen at large for four years.

The sixth annual institute for **Florida** city managers was held at Ocala, April 17-19, with 30 of Florida's 60 city managers in attendance. The institute was under the auspices of state-supported colleges and the Florida City Managers' Association.

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### ***Rhode Island Cities Seek New Home Rule Charters***

Voters of Rhode Island continue their interest in securing new charters. Under the state's home rule constitutional amendment of 1951 machinery for new charters is in motion in some eight cities.

The commission recently elected in Pawtucket has been holding hearings on such matters as the form of government, partisan versus nonpartisan elections, and other questions. Civic groups generally are supporting the council-manager plan with nonpartisan elections while Mayor McCarthy and other public and party officials are backing the strong mayor plan with partisan elections. In a poll of the Business Chamber, the vote in favor of the manager plan was 255; in favor of the strong-mayor plan, 49. A similar poll among League of Women Voters members showed 62 for the manager plan, three for the strong mayor.

Woonsocket, which has been ruled for years by a tight political machine, revolted in a special election on April



22 and chose an independent charter commission of nine members endorsed by the newly formed Woonsocket Citizens' League, as against the machine candidates.

Other cities in Rhode Island with charter commissions at work include East Providence, Newport, Bristol, Jamestown and Central Falls. North Kingstown will decide as to electing a charter commission in June. In Warwick a petition for a charter commission has been circulated.

Four of the nine U. S. cities over 5,000 with bicameral legislative bodies are in Rhode Island — Pawtucket, Woonsocket, Central Falls and Newport. It seems to be generally agreed in all these communities that the two-house bodies should be eliminated in favor of unicameral councils.

Most of the commissions now at work hope to finish their drafts in time for submission of charters to the voters at the November election.

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### **'City Beautiful' Movement Revives**

In reporting a Dearborn, Michigan, ordinance establishing a fifteen-member City Beautiful Commission, *The American City* asserts that a revival of the "city beautiful" movement seems to be in the making. The magazine comments: "Several cities have recently adopted ordinances which restore the importance of esthetics in municipal life, after long neglect of the city beautification efforts which flourished so vigorously in the early 1900s."

The Dearborn ordinance requires the new commission to develop plans for the beautification of streets, alleys, utility installations, parks, playgrounds, streams, yards, lots and buildings, and for improving the health, sanitation, safety and cleanliness of the city; to foster the prevention of fires, disease

and other casualties; to encourage the planting and preservation of trees, shrubbery and flowers; to collect and study information on community improvements and make recommendations thereon; and to promote public interest in the general improvement of the city's appearance. The powers and duties of other city agencies are not to be abridged or supplanted.

Ex-officio members of the commission are the directors of public works, safety and research, the health officer and the city planner. Otherwise the commission members are unpaid.

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### **Pittsburgh Establishes Complaint Bureau**

In Pittsburgh, Pennsylvania, the handling of all complaints regarding municipal services has been centralized in one bureau—the city service center. All complaints against the city are received by the center, which refers them to the proper municipal departments for action. Information is forwarded to the departments on brief forms, carbon copies of which are kept by the center for follow-up purposes.

Complaints have generally been about such things as clogged sewers, faulty water meters, uncollected garbage, etc., and formerly took up much of the time of individual departments.

It is also planned to have the center serve as a municipal information bureau giving out weather reports and data on civic events.

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### **Model Traffic Ordinance for Colorado Cities**

As a result of joint efforts by the Bureau of State and Community Service of the University of Colorado and the Colorado Highway Safety Council, a model traffic ordinance for Colorado cities and towns has been drafted.

Since Colorado has an adoption by

reference law, this clears the way for municipalities to bring their traffic laws into conformity with state laws and national recommendations with a minimum of effort and expense.

Actual drafting of the ordinance was the work of the University Bureau. State departments assisted substantially and paid for publication of the 52-page booklet.

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### ***Cities Increase Efforts in Public Reporting***

Annual reports issued by cities in the United States in 1951 showed a 50 per cent increase over 1949, according to the International City Managers' Association. Even last year, however, the number issued was only 154. These reports were more widely distributed—an average of one copy for every five citizens—and were more timely and shorter than in previous years. A typical 1951 report was 32 pages long and issued thirteen weeks after the end of the year covered as compared with the 1949 report which contained 48 pages and appeared after 22 weeks.

The most popular size for annual reports was the six-by-nine inch booklet; however eleven cities issued their reports in tabloid or newspaper size and format. The reports were distributed by mail in most cities. Copies were sent to each taxpayer in 22 cities, while all utility customers in 21 cities received a copy by mail. Most of the reports were printed by letterpress, but nineteen were printed by offset and sixteen were stencil-duplicated.

Cities also reported using other media to tell their story. Of the 154 cities which issued reports, 21, or one-seventh, also made use of radio or television. The use of motion pictures, like that of radio, decreased in 1951 from the previous year, as only eleven cities utilized this method as compared with sixteen in 1950. Among other re-

porting techniques used were special leaflets or folders enclosed with tax or utility bills in 66 cities, the open house in ten cities and special pamphlets issued for residents of newly annexed areas.

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### ***Penn State Sponsors Municipal Report Contest***

To encourage the publication of more understandable annual statements the Institute of Local Government at the Pennsylvania State College has announced a contest for modernized reports.

The competition will be open to all Pennsylvania towns, cities, boroughs, townships, counties and municipal authorities. The reports will be judged on content, understandability, utility, attractiveness, and uniqueness of preparation. Appropriate certificates of award will be presented to winners in each division.

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### ***Arkansas Establishes State Medical Examiner***

By Act 398 of 1951, Arkansas established the Office of State Medical Examiner under an ex officio commission composed of the dean of the Medical School of the University of Arkansas, director of the State Police and director of the State Board of Health. This commission is given authority to make rules and the head of the Department of Pathology of the Medical School is named to serve as director of the Office of State Medical Examiner.

The act requires the Medical School to provide a central office and laboratory for autopsies and pathological, bacteriological and toxicological examinations.

Elective county coroners remain unaffected except that they, as well as any other person having knowledge of a death which might have been

caused by a criminal act, must report such deaths to the state medical examiner who has authority to require an autopsy. The power of the coroners to exhume bodies has been fortified and embalmers are put under penalties to prevent them from proceeding with embalming in suspicious cases.

Passage of the act is the result of the activities of Dr. Anderson Nettle-ship, now the state medical examiner under the new law, who carried on a one-man campaign to exhibit the inadequacies of the elective county coroners' medico-legal work and, without stirring up opposition from coroners and other interested parties such as the State Embalmers Association, secured passage of the bill unanimously in the Senate and with but three dissenting votes in the House.

R.S.C.

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### ***The Clock But Not The Law Was Stopped***

The West Virginia Supreme Court has ruled that the 1951 state legislative district apportionment was legally adopted. The act was challenged because a senator had inserted in the *Journal* a statement calling attention to the "stop-the-clock" procedure employed at the end of the session. The court stated that the record was not so confused that "extrinsic evidence" had to be examined. The apportionment act had reduced the number of delegates from Ohio County from four to three.

PAUL D. STEWART

Marshall College

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### ***Arizona Legislature Invokes Referenda***

In its second annual session, the twentieth Arizona legislature made another attempt to provide for a limited amount of administrative reorganization, referred the state retirement system, adopted by initiative action in

1948, to the voters for final action in the November election, rejected a measure to establish an easier municipal annexation procedure, and failed to initiate two constitutional amendments to reapportion membership in the State Senate and limit the size of the House.

The legislature in 1951 provided for consolidation of a number of agencies and functions into the departments of (1) public health, welfare and correction, (2) finance, (3) law and, as part of the program, submitted two constitutional amendments and a referendum measure to the voters. By referendum proceedings, opponents prevented establishment of the three new departments until the voters could pass upon the program in November 1952.

Because this legislation, if approved, could be changed only by direct action of the voters and hence would be inflexible, and possibly because of the criticism that the legislature had acted arbitrarily in adopting the reorganization measures, the 1952 legislative session repealed the 1951 program. In its stead, it placed on the November ballot three propositions which, if adopted by the voters, will authorize the legislature to set up three new departments—health and welfare, finance, and law.

Legislative action in referring the public employees' retirement act to the voters was supported by the argument that the public, in light of figures on probable cost as presented by the legislative committee on state operations, should have a second opportunity to pass on the question. Proponents state that a majority of the legislators are opposed to the law, as evidenced by the steadfast refusal of the legislature since 1948 to appropriate money for the plan.

The committee on state operations has estimated that activation of the retirement law would cost approxi-



mately eight and a half million dollars during the first year. Accepting this, the legislature has provided for a referendum on a measure which would appropriate \$8,503,253 if the voters do not repeal the law.

Spokesmen for the Arizona Employees Association and other advocates of the retirement system claim that \$1,284,000 is sufficient to activate the plan, if prior service benefit costs are spread over a period of 25 years. They point out that this figure is in line with the recommendations of the actuary engaged by the committee on state operations to study costs.

The constitutionality of the legislative action referring the retirement law, adopted as an initiative measure, is questioned on the ground that it violates the constitution which states: "The veto power of the governor, or the power of the legislature, to repeal or amend, shall not extend to initiative or referendum measures approved by a majority vote of the qualified electors."

The defeated simplified annexation procedure bill would have permitted ten or more real property taxpayers to petition a city or town for annexation of the area in which they resided. The city or town council would have been given discretionary authority to submit the question of annexation to the real property taxpayers of the area at a special election. If a majority approved, the council by ordinance would proceed with annexation.

The legislature killed two proposed amendments which would have given each of the state's fourteen counties equal representation in the Senate. Five now have two senators each and

the other nine one each. The amendments were backed by three of the faster growing counties which, although they have but one senator each, have larger populations than some of the counties with two. One of the amendments would have fixed the size of the House at 75, the other at 81. The present House consists of 72 members, that of the next legislature will number 80.

PAUL KELSO

University of Arizona

### ***Two States, One City Seek Students for Employees***

Special efforts to recruit high school and college graduates for public employment have recently been made by the Mississippi State Board of Health, the state of Illinois and Kansas City, Missouri.

Specially designed announcements have been sent by the Mississippi Board of Health to all accredited high schools, junior and senior colleges in the state, listing jobs for which different types of students are eligible, together with salaries and knowledge or performance requirements.

In Illinois civil service representatives have been making trips to some 60 high schools and fourteen colleges and universities throughout the state attempting to recruit graduates for their job openings. On these visits they also instruct faculty members as to administering tests for recruits.

Kansas City's personnel department has sent out a special letter inviting all high school graduates to take typing and stenographic examinations and describing the advantages of city employment.

**County and Township***Edited by Elwyn A. Mauck***Cities and Counties  
Seek Cooperative Bases*****Philadelphia Appoints  
Integration Committee***

**F**URTHER steps to develop a plan of complete integration of city and county governments in Philadelphia<sup>1</sup> were taken recently by the city council when it created an Advisory Consolidation Commission to "make a detailed study of all problems dealing with city-county consolidation and the merger and integration of former county functions in the structure of the city government and the appropriate means for implementing the consolidation amendment."

The commission is an eleven-member, bipartisan body appointed jointly by the mayor and the president of the council. The ordinance provides an appropriation of \$10,000 for the commission's expenses.

The Contra Costa, California, Intergovernmental Conference, composed of representatives of the taxpayers and major local governments in the county, recently developed a plan of coordinated capital improvement construction. The county board of supervisors and the mayors of the municipalities currently are developing the plans of their respective jurisdictions to effectuate the recommendations of the conference.

A study by the American Municipal Association indicates that the joint occupancy of building office space by city and county governments is proving a success in at least the 35 communities studied. In fifteen cases the buildings were owned jointly by

the city and county governments, in eleven the counties owned the buildings in which the municipalities occupied space, and in the remaining nine the buildings were owned by municipalities and office space was furnished to some or all county offices.

Extremes are noted. The governments of Ohio County and Wheeling, West Virginia, occupy an 80-year old building, and Greenville County and Emporia, Virginia, occupy a 171-year old edifice. These may be contrasted with the \$20,000,000 city-county building now being constructed jointly by Wayne County and Detroit, Michigan. Plans for large jointly owned buildings are also developing in Oakland County and Pontiac, Michigan, and in Dane County and Madison, Wisconsin.

A Florida state legislator has recommended removal of the Halifax area from Volusia County and establishment of this area as a separate city-county.

The Daytona Beach *Evening News*, in editorial support of the proposal, points out the advantages of a single set of local administrative officials under the general supervision of a city-county manager. The editorial refers to the attitude of Daytona Beach's new city manager as serving as an effective model for the prospective city-county unit.

***North Carolina Counties  
Cooperate on Library Service***

The boards of commissioners of Surry and Stokes Counties, North Carolina, have agreed to share the services of a chief librarian. Under this arrangement, the librarian will be paid jointly by the two counties and divide her time between them.

<sup>1</sup>See the REVIEW, December 1951, page 591.

Since both counties will have the services of a certified librarian under this arrangement, they will be entitled to share in the state aid fund for library services.

### ***Tri-county Health Unit to Dissolve***

The three-county health unit serving Midland, Ector and Howard Counties, Texas, will disband on July 1 because two of the counties believe they are sufficiently large to maintain independent units. The state health officer recently declared that "The three-county setup has been unsatisfactory because it covered too big a territory and spread services too thin. One man couldn't cope with all the problems."

### ***Ramsey County Adopts Pay-As-You-Go Plan***

Ramsey County, Minnesota, which established a pay-as-you-go plan in 1942, will see success by the end of 1956. The county has a population of more than 350,000, and its indebtedness in 1942 was in excess of \$13,000,000. No bonds have been issued by the county since that time, and the indebtedness was reduced, as of January 1, 1952, to \$284,000. Another \$157,000 will be retired during the current year and the very small balance will be paid off during the following four years.

### ***Economic Survey Proposed for Montgomery County, Md.***

The manager of Montgomery County, Maryland, has proposed to the county council that an economic base survey be made similar to that recently completed in Arlington county, Virginia.<sup>1</sup>

The Montgomery County Real Estate Board is urging the study, but it has met opposition from the Up-

per Montgomery County Planning Commission. The latter has released a progress report in which it urged that Upper Montgomery County remain agricultural in nature.

### ***Prince George's County Discusses Recommendations***

The survey report on administrative improvement of Prince George's County, Maryland, continues to be the subject of many hearings and discussions.<sup>2</sup>

Currently, a series of three hearings are being conducted by the Board of County Commissioners, and the Citizens' Committee for Good Government is continuing its drive for home rule, the manager plan and other proposals of the report.

### ***Wisconsin Court Upholds County Zoning***

The Wisconsin State Supreme Court recently upheld the constitutionality of county zoning ordinances. The chief of the State Planning Board hailed the decision as a milestone. He explained that it was the most important court decision in the quarter century since Wisconsin counties have adopted ordinances under powers detailed to them by state statute. Wisconsin was the first state in the country to authorize counties to adopt rural zoning ordinances and many counties, in cooperation with town boards, have put land use rules into effect.

After the court litigation was begun, electors of one town at a special meeting voted to rescind its zoning ordinance. The court held, however, that the town meeting cannot withdraw from previous action of the town

(Continued on page 311)

<sup>2</sup>*Local Government in Prince George's County, Maryland.* Distributed by Citizens Committee for Good Government, 1951. 85 pp. See the REVIEW, February 1952, page 100.

<sup>1</sup>See the REVIEW, May 1952, page 256.



**Proportional Representation***Edited by George H. Hallett, Jr.  
and Wm. Redin Woodward*

(This department is successor to the Proportional Representation Review)

**Home Rule Changes  
for New York Counties*****New Law Eliminates P. R.  
and Other Election Options***

A BILL just passed by the New York legislature<sup>1</sup> will take away many of the present options for the government of New York counties outside New York City, including proportional representation, nonpartisan voting and other variations from the usual method of electing New York county boards of supervisors. If all goes well, however, another action taken by the same legislature will lead to even wider home rule than counties have enjoyed hitherto.

The two measures were both sponsored by the state's Uniform County Law Commission, which has been revising and recodifying the statutes relating to county government. The commission was disturbed by the great length and complexity of the optional county government law, made up of several legislative enactments with overlapping options, and has now replaced it by a much shorter alternative county government law.<sup>2</sup>

The old law stays in effect until May 15, 1954, however, and any county which elects in the meantime to act under it can do so and keep whatever optional plan it adopts. It would thus be possible, for example, either this year or next, for a county to adopt by petition and popular vote the manager plan of government with a governing board elected by proportional represen-

tation on a nonpartisan ballot at large, as recommended in the *Model County Manager Charter* of the National Municipal League.

Because the Uniform County Law Commission realized that it was reducing the available forms of government to an extent that might leave some counties unsatisfied, it also sponsored a constitutional amendment to let counties draft, adopt and amend their own charters, as cities can, subject to such restrictions as the legislature may impose by general law. This amendment passed both houses unanimously. If passed again by next year's legislature it will go to the people in the fall of 1953. Under its terms the legislature will be required to set up the new home rule machinery not later than July 1, 1955. The withdrawal of the right of counties to adopt improved election methods may therefore be but temporary.

***Citizens and Press Protest  
Legislation Against P. R.***

On May 6 Governor Dever of Massachusetts signed the measure described last month in this department, lowering the number of signatures required on a petition for a referendum to repeal proportional representation in cities governed by "Plan E" council-manager charters. Now only 5 per cent of the registered voters need sign, whereas other referenda to adopt or repeal municipal charters require the signatures of 10 per cent of those eligible to vote.

Nine of the twelve legislators from Worcester districts voted for the measure, a circumstance which prompted Thomas S. Green, Jr., president of the Citizens Plan E Association of Worcester, to comment:

<sup>1</sup>Chapter 834 of the Laws of 1952.

<sup>2</sup>See "New County Plans Offered," by Richard A. Atkins, page 288, this issue.

What is happening is important to Worcester voters because it involves imposing the preferences of the state legislature on a matter we in Worcester should decide. Plan E was adopted in Worcester by a two-to-one vote. The P. R. method of voting has been used twice so far and with success. Provisions exist for changing to some other charter if the voters so choose. But the legislature wants to eliminate P. R. because it weakens partisan political control of the city government by giving the voters direct control over the elections. It is doing everything it can to force a referendum on P. R. since it has been unable so far to abolish it outright.

When we adopt a new charter by a two to one vote and then most of our state legislators work to change it, are they representing us?

The Worcester League of Women Voters, in a wire to Governor Dever urging him to veto the measure, declared: "This 50 per cent reduction in the number of signatures will make it too simple to wage a campaign against a form of election that has proved advantageous to our city. Our government should be spared such unreasonable expense."

Three legislators from Lowell, another Plan E city, voted for the measure, but two representatives from Lowell and two representatives of adjoining municipalities opposed it. The vote (on reconsideration) in the House of Representatives was 112 to 103 for the measure.

The Lowell *Sun* accused the legislature of harassment and "dealing in small potatoes," remarking editorially:

Ever since the Plan E form of government was adopted in a number of Massachusetts cities, a coterie of politicians in the legislature has been attempting to deal it out of

existence by harassing legislation. Some moves have been successful, others were not.

The latest instance, while not of much significance, nevertheless demonstrates the end to which those who oppose the Plan E form will go. There are a number of model forms of charters in effect in Massachusetts, but the legislature, by a narrow margin, recently adopted legislation which singles out the Plan E form with respect to the manner in which it may be placed on the ballot with a view to repealing it. . . . It seems that the legislature is dealing in small potatoes.

Said the Worcester *Gazette*, in its editorial, "A Law that Loads the Dice Against P. R.":

This law is absolutely unjust. It discriminates. It rigs the mechanism so that it is easier to get P. R. repealed than any other law. . . . Opponents of P. R.—and make no mistake about it, they are using P. R. to get at Plan E—have tried every known dodge to rob Worcester and other Plan E cities of the kind of voting which cripples ward politicians. They finally resorted to this device and put it over.

Those who voted for it—Republicans or Democrats — should be thoroughly ashamed of themselves.

A move is already under way in Cambridge to place the repeal of P. R. on the November ballot.

### **Local Elections in Hesse Held by List System**

Local elections were held in Hesse, one of the states of the West German Federal Republic, on May 4 by a party list form of P. R. Most interest abroad centered on the statewide distribution of party strength revealed in the totals of votes for all communities. These

showed a gain for the Social Democrats compared with the last local elections held in 1948 or the federal elections in 1949, although the percentage of votes cast by them was less than that obtained in the state elections of 1950, according to the *New York Times*.

### **Lewis Jerome Johnson — P. R. Advocate**

Lewis Jerome Johnson, a member of the Proportional Representation League's Advisory Council since 1923, died on April 15 at the age of 85. Dr. Johnson, professor of civil engineering at Harvard University and designer of Harvard Stadium, was long active in the improvement of local government. He was especially interested in the use of proportional representation for city councils and was the principal author of legislation providing this form of election, together with the council manager plan, as an option (Plan E) for Massachusetts cities. The proposal, passed by the legislature in 1938, was adopted by his home city of Cambridge in 1940 and is now in use also in five other cities in the state. Dr. Johnson was a leader in the initiative and referendum movement, in particular the successful effort to secure the constitutional initiative in Massachusetts in 1917.

### **COUNTY AND TOWNSHIP**

(Continued from page 308)

board, despite the fact that municipalities can repeal as well as enact ordinances. The court pointed out that the zoning ordinance actually was enacted by the county board, and the town action was merely acquiescence to make the ordinance effective within its limits.

### **Two Oregon Counties Defeat Manager Plan**

New charters providing the manager plan for two Oregon counties

were defeated on May 16. In Lane County the vote was 24,400 to 11,182; in Clackamas the defeat was by 750 votes out of 27,000. Both counties had turned down similar charters in previous years.

Republican and Democratic party officials worked against the new documents. In Clackamas, where the local newspaper and county employees opposed the manager plan, the "Joint Committee Opposed to the County Manager Form of Government" was composed largely of committeemen of both parties.

Citizen groups working for manager government in the two counties have agreed that the campaign for efficient government and a manager plan charter will continue.

### **National County Association Meets This Month**

Between 800 and 1,000 county officials and guests are expected to attend the sixteenth annual convention of the National Association of County Officials to be held June 15-18 in San Antonio, Texas. On the program will be former Congressman Martin Dies, who will speak on "Current Trends and the Public Servant," a discussion meeting on "Recent Developments in Federal-County Relations," and a luncheon meeting to discuss "Advances in Improved Administration."

### **County and Town Officers Organize in Fairfield**

The Fairfield County, Connecticut, Association of First Selectmen has organized to pool experiences and opinions for solving mutual and individual problems. It will study over-all problems in zoning, state aid to towns in welfare cases and road improvement.



## Taxation and Finance

Edited by Wade S. Smith

## State Revenues Up, Costs Steady

### *Debt Reaches New Peak, Reports Census Bureau*

**R**EVENUES of the 48 states reached a new peak in fiscal 1951, as did state debt, but expenditures flattened out slightly, principally because of a reduction in unemployment compensation payments. In contrast to 1950's operations, the states took in more money, including borrowed money, than they expended, including capital expenditures from borrowed funds. These are some of the highlights afforded in the Census Bureau's summary report on 1951 state fiscal operations.<sup>1</sup>

State revenues from all sources in the 1951 fiscal year aggregated \$16,858,000,000, an increase of 9.8 per cent over fiscal 1950. This total included borrowing of \$1,284,000,000, however, down 10.1 per cent from 1950, and revenue receipts alone at \$15,574,000,000 were 11.8 per cent higher than in the preceding period. Sales and gross receipts taxes aggregated \$8,934,000,000 up 12.7 per cent; license taxes totaled \$1,359,000,000, up 10.7 per cent; individual income taxes represented \$805,000,000, up 11.1 per cent; and corporate net income taxes were \$687,000,000, up 17.3 per cent, to mention the larger tax items.

Payments from the federal government—for welfare, education, highways, etc.—were \$2,508,000,000, only 3.5 per cent higher than in 1950, and receipts from local government

amounted to \$149,000,000, 1 per cent higher. Employee retirement, workmen's compensation, unemployment insurance and similar collections totaled \$2,254,000,000, up 22.3 per cent.

Expenditures by the states in 1951 aggregated \$15,445,000,000, a mere 2/10 of 1 per cent above 1950. There was a 19.1 per cent gain in expenditures for debt redemption, to \$346,000,000 in 1951, and expenditures for all other purposes at \$15,098,000,000 were 2/10 of 1 per cent lower than in the preceding year. This was due almost entirely to a 50.3 per cent reduction in unemployment compensation payments, which dropped from \$1,845,000,000 in 1950 to \$916,000,000 in 1951.

By object, major 1951 expenditures included education, \$3,722,000,000, up 8.7 per cent; highways, \$2,989,000,000, up 11.5 per cent; health and hospitals, \$1,139,000,000, up 9.3 per cent; and interest on debt, \$130,000,000, up 19.3 per cent. Expenditures included \$2,506,000,000 for capital outlays, 11.8 per cent more than in 1950.

Total state indebtedness at the end of fiscal 1951 was at a new peak, \$6,223,000,000. This was an increase of 17.7 per cent over 1950. Long-term debt was \$5,974,000,000, up 15.6 per cent, while short term debt rose 112 per cent to \$249,000,000. The net long term debt, after deduction of sinking fund assets, etc., was \$4,944,000,000, a rise of 16.4 per cent.

California, New York and Pennsylvania were the big three in revenues, borrowing and expenditures, but not in the same order. In revenues exclusive of borrowing, California led with \$1,608,000,000, closely followed by New York with \$1,605,000,000, while Pennsylvania showed \$1,021,-

<sup>1</sup> U. S. Bureau of the Census, *Summary of State Government Finances in 1951*. Washington, D. C., 1952, 20 pp. Tables.

000,000. Pennsylvania led in the amount of borrowing, \$160,000,000, followed by California, \$151,000,000, and New York, \$123,000,000. Total expenditures were \$1,468,000,000 for New York, \$1,446,000,000 for California, and \$1,277,000,000 for Pennsylvania.

Smallest revenues were shown by Nevada, \$32,000,000, which also ranked 48th in expenditures, \$26,000,000. The state's borrowing of \$240,000 was also the smallest among the states which borrowed money during the year. However, nine states reported no borrowing: Arizona, Maine, Montana, Nebraska, North Dakota, South Dakota, Utah, Vermont and Wisconsin.

In terms of total debt outstanding at the end of fiscal 1951, Pennsylvania ranked first, with \$958,650,000, followed closely by New York with \$941,163,000. Illinois was third with \$405,708,000, and California fourth, \$395,231,000. On a per capita basis, the indebtedness ranged down from \$260.83 in Delaware to less than \$1 in Nebraska. For the four states with the largest dollar indebtedness, the per capitas were: Pennsylvania, \$90.90; New York, \$63.07; Illinois, \$46.36; and California, \$37.31.

### ***Personal Earnings Taxes Void***

Efforts of two cities to tax income of individuals in the guise of a tax based on earnings were voided late in 1951 by the courts in Michigan and Washington. In the former, the Saginaw County Circuit Court ruled that a 1 per cent earnings tax approved by Saginaw voters at an election in May 1951, and scheduled to take effect January 1, 1952, was invalid because the home rule act limited taxes for local use to those under general law for state, county and school purposes, and incomes are not included as taxable subjects under the general law.

In the Washington case, a tax levied by the city of Bellingham at 1/10 of 1 per cent of the earnings of "every person engaging in the city in any activity" was ruled invalid in so far as it affected workingmen, on the basis that it was an income tax, not an excise levied under a licensing ordinance, and discriminatory since it was not assessed equally against all income.

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### ***St. Louis Earnings Tax Authorized***

In Missouri the legislature has authorized St. Louis to impose again a tax on earnings at a rate up to 1 per cent and to require employers to withhold the taxes on all salaries, wages and other compensation paid to residents and non-residents. St. Louis first imposed an income tax in August 1946, when a  $\frac{1}{4}$  of 1 per cent levy was enacted. This ordinance was invalidated within a year by the state courts, however. Thereafter the legislature remedied the court's objections and the city levied a tax at  $\frac{1}{2}$  of 1 per cent from September 1, 1948, to July, 1950, when the enabling law expired.

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### ***Norfolk Issues Assessor's Manual***

Preparation of procedural manuals for the guidance of staff workers in the various departments of city, county and local governments has become fairly commonplace, but it is not often that such a manual recommends itself to the lay citizen as interesting and informative reading on some phase of local government. Such a manual has been prepared for the real estate assessor's office in Norfolk, Virginia, however, and, according to a recent notice from the city, has been printed and made available to the general public and interested officials elsewhere.<sup>1</sup>

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<sup>1</sup>*Manual for the Office of the Real*

While the volume is, of course, specifically directed at assessing problems and techniques in Norfolk, it contains a good summary of the background necessary for an understanding of assessment work and numerous photographs and tables illustrating the application of formulae to specific types of properties. Its price (five dollars per copy) will limit its availability to the general reader with limited interest, but to many organizations currently engaged in studying local problems of property valuation it will undoubtedly be stimulating.

### ***Assessor Uses Photo Review***

Visual education, now a byword in the nation's schoolhouses, has been taken up by the Board of Assessment Review in Detroit as a means of bringing added pertinency to hearings on complaints of property owners.

Based on initial experience, the procedure calls for the taking of a picture of the property at the time the complaint is filed, and the printing of the photo on a small glass projector slide. At the hearing the picture of the property is flashed on a screen, illuminating the proceedings to everyone's evident satisfaction. According to the National Association of Assessing Officials, property owners and assessors have both been highly pleased with the procedure.

### ***Bond Field Offers Some Unusual Developments***

Several recent developments in the field of state-local financing emphasize the fact that even routine fiscal transactions do not follow an unvaryingly set pattern.

In New Jersey, where a new State Division of Investment was formed

*Estate Assessor of the City of Norfolk, Virginia. Norfolk 10, Assessor's Office. 1952.*

last year<sup>1</sup> following allegations of un-businesslike practices in purchasing securities for the investment of various state funds, something of a milestone in state-local investment policy was reached when the state went into the commercial paper market to better the yield on its invested funds.

Invested by New Jersey was \$12,-000,000 of idle funds, largely from motor vehicle registration fees and prepayment of other taxes not required until November. The loan, advanced to the General Motors Acceptance Corporation<sup>2</sup> for nine months, carries an interest rate of 2½ per cent. It is believed to be the first instance of the purchase of commercial paper for investment purposes by any governmental unit in the United States. That the deal was advantageous to the state is indicated by reports that New Jersey's investments in 1951 yielded approximately 2.2 per cent.

### ***Housing Bonds Cancelled***

Another unusual development was the cancellation of a proposed multi-million-dollar offering of housing authority bonds following passage of a bill, by the House of Representatives, amending the housing act to prohibit payment of federal subsidies to a housing authority where any tenants were members of "subversive" organizations. The housing bonds are in effect guaranteed by the federal subsidies and federal housing officials, who under the law make the formal award of the bonds, withdrew the of-

<sup>1</sup>See "Care of State Trust Funds," the REVIEW, May 1951, page 254.

<sup>2</sup>G. M. A. C. is the financing agency of the motor manufacturing corporation, its funds used largely to finance the installment purchase of automobiles; like several of the other large installment financing concerns, it has for years placed its paper privately rather than through commercial paper dealers.



fering because the amendment clouded the security of the obligations. It was held that the administrative problem of screening and investigating tenants so as effectively to avoid the withholding of subsidy payments was insuperable.

Finally, the state of Maryland, which offered \$20,532,000 bonds for sale in April, got itself involved in what proved to be an impossibly complicated formula for determining the best bids, and had to reject all bids and re-advertise the sale. The state had offered two school issues and three for other purposes. It indicated it would receive individual bids or bids on an all-or-none basis, with bids submitted on an all-or-none basis not to be accepted unless those for the two school loans included were the highest received for each of the two school loans. The official explanation of the reason the bids were rejected, as published in *The Daily Bond Buyer*, indicates the complexities that arose:

"All bids submitted on the all-or-none basis, including the two school issues, were less than the individual bids on the two school issues. The all-or-none bids were rejected because they did not contain the highest bid for the two school issues.

"There was a bid submitted for each of the five issues not contingent upon the all-or-none acceptance. In computing the cost to the state, it developed that acceptance of the five individual bids in the aggregate would cost the state approximately \$41,000 more than the best all-or-none bid which was submitted but ruled out because it did not qualify."

## JERSEY JUSTICE

(Continued from page 287)

and occasionally in a sensational story involving the misconduct of an individual judge. Litigants who have had experience in the courts are likewise usually silent, except where they have lost a law suit and rationalize a proper defeat as a miscarriage of justice.

A judge cannot, consistent with judicial dignity and decorum, undertake to advance his own worth and merit in the public eye. The Administrative Office, however, is a suitable vehicle to bring to the attention of the public information on the judicial system. This phase of public relations has been carefully observed in the Administrative Office. Press releases have been prepared on the new rules and amendments adopted by the court. Bulletins have been issued from time to time on the work of the judicial conference and special committees appointed by the court to solve problems in the system.

The Administrative Office of the Courts has had an important part in aiding the operations of a modern and highly integrated judicial system. It has lightened the ministerial burdens and responsibilities that are placed on the chief justice and other members of the Supreme Court, and has enabled them to devote the greater portion of their time and energies to problems of over-all policy and their purely judicial duties.

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**Citizen Action** . . . . . *Edited by Elsie S. Parker*

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## Memphis Committee Seeks Large Registration

***Certificates Awarded Clubs, Businesses, etc., 100% Signed***

WITH 5,000 persons registered during the month of March alone, the Civic Research Committee of Memphis, Tennessee, is continuing its drive to make all the city's citizens eligible for voting. Since Memphis has permanent registration, such success means that, unless voters change their addresses or names, they are continued on the registration list without further effort.

The committee, both last year and this, has divided its registration drive into three phases. The first, called the courthouse campaign, is conducted during March when automobile tags go on sale at the courthouse. Persons applying for tags are handed circulars by volunteer workers urging them, while they are at the courthouse, to register also if they have not already done so, thus saving a second trip.

In the second phase of the campaign clubs, unions, industrial plants and businesses are urged to secure a 100 per cent registration of members or employees. The third is a ward effort, with captains in each ward precinct heading a door-to-door drive with volunteer doorbell ringers. Persons unregistered are urged to do so and transportation to the courthouse is offered.

The Civic Research Committee held a general membership meeting on March 10, reports Charles E. Pool, executive secretary, at which 78 firms and businesses were awarded certificates "for the patriotic execution of citizenship responsibility" during last

year's campaign. After this year's drive is over, certificates will go to clubs, church groups, unions, veterans groups and other organizations, as well as businesses, for a 100 per cent registration of members and their immediate families.

This year the committee is asking the political parties to participate in the drive, to furnish volunteers to canvass neighborhoods on a nonpartisan basis.

The committee has issued an eleven-page mimeographed report, prepared by its Election Locations Committee, on the "Voting Places of the Wards and Precincts in the City of Memphis."

## ***Citizens Take Over a Party Organization***

The old and charming town of Greenwich, Connecticut, recently witnessed a citizen uprising which resulted in the wresting of control of the all-powerful Republican organization from a group that had been in power for more than twenty years.

Various citizens who had attempted to make the party organization more democratic in operation and friendly to progressive reforms were thwarted by the party rules. Only two days were allowed, after announcement of the candidates of the organization leaders, to file petitions for independents and only two weeks to conduct a campaign prior to the Republican caucus.

This year, however, independents formed the Republican Citizens Committee, drew up a slate of candidates for 37 of the 40 seats on the Republican Town Committee, and conducted a vigorous campaign. Arguing for direct primaries, members of the group campaigned door to door, ad-

vertised in newspapers and distributed circulars by mail.

The Citizens Committee won 34 of the 40 seats.

### ***Civic Group Scares Parties Into Nominating Good Candidates***

For years a hotbed of torrid politics, Santa Fe has suddenly seen the light. Last year a group of civic-minded citizens, including members of the League of Women Voters and the Junior Chamber of Commerce, organized the Citizens Union of Santa Fe and enrolled some 400 members pledged to fight for good government and to vote only for honest, able candidates, regardless of party.

Their action evidently frightened the two party organizations, who had been handpicking "third rate hacks" as candidates for city office. Both parties suddenly turned over a new leaf this year and blossomed out with new faces. Both nominated able candidates for mayor who had never held office before and who pledged themselves to work for the council-manager plan. Candidates nominated for the city council were also of much higher grade than usual.

The Citizens Union picked no slate to support but worked to bring all candidates to the attention of the voters. It was felt that, regardless of who was elected, the city would secure able officials. The League of Women Voters published a Voters Directory and held a meeting to which all candidates were invited. The election resulted in a council of five Republicans and three Democrats, with the Democratic candidate chosen as mayor.

### ***Radio Programs Describe Citizen Endeavor***

"The People Act," a series of radio programs showing American citizens uniting to solve their community prob-

lems, has been on the air over the Columbia Broadcasting System since January.<sup>1</sup> Each program as it is given is made available both in pamphlet form (no charge) and on records (twelve inch LP). The latter, costing \$1.85 each, contain two programs. Both pamphlets and records may be secured from The People Act Center, Box 342, State College, Pennsylvania.

The first broadcast was devoted to the story of how the women of Gary, Indiana, united to deal with crime and corruption in their city; the second was on the activities of citizens in Arlington, Virginia, in securing new schools. Other programs given thus far include stories on Blairsville, Georgia; Kansas City, Missouri; Upper Winooski Valley, Vermont; Chicago, Illinois; Tupelo, Mississippi; New Sharon, Maine; Tin Top, Texas; Mt. Adams, Washington; Syracuse, New York; Belleville, Illinois; Seattle, Washington; and Binghamton, New York.

To serve a local need, the Richmond (Virginia) Citizens Association, with the cooperation of three radio stations, presented a series of twelve programs, three each week, during February. Titled "The Citizens Spotlight," the program turned the spotlight on a different function of the city government each week—health, welfare, parks and recreation, fire prevention, schools, etc.

Each program was divided into three parts. In the first, the moderator interviewed the speaker of the evening to develop a background of information on the subject. Next a panel of three representative citizens interviewed the speaker. The last portion was devoted to questions invited from the radio audience by telephone. Response on this was excellent, sometimes as many as 30 questions being

<sup>1</sup>See the REVIEW, January 1952, page 54.



asked. "We believe," says Thomas H. Austin, executive director of the association, "we passed on to a large segment of citizens information as to how our council-manager form of government is carrying out the major responsibilities of municipal administration."

"Let's Talk Taxes" is the title of a radio program broadcast by the New Hampshire Taxpayers Federation every Saturday evening. It is "designed to answer taxpayers' questions regarding tax matters for all levels of government." Heads of various state departments have taken part in the discussions. Questions are solicited and taxpayers desirous of asking their questions in person are invited to take part in the program.

### ***Education Project Aids Citizenship in Schools***

*Improving Citizenship Education* (44 pages) is "a two-year progress report of the Citizenship Education Project" of Teachers College, Columbia University. A map shows the number of school systems collaborating with the CEP at three consecutive stages of its existence. "By the end of the 1951-52 school year," says the map's caption, "the total number should be over 400."

To quote the pamphlet, "CEP is a service—not a research—project. Its efforts are centered on diffusing among the schools improved teaching methods and a wider variety of instructional materials designed to help pupils become good American citizens. Previous research has already shown that the teaching methods proposed by CEP, and the use of abundant materials, are educationally sound. The kind of citizenship education program stimulated by CEP includes the participation of teachers, administrators, pupils and the general public—both

in planning and carrying out the program."

As resource material the organization has published eleven pamphlets lettered from A to K, including these titles: *Knowing and Serving the School*, *Participating in School Responsibilities*, *Student Government and Elections*, *Discovering the Community*, *Participating in Political Work and Elections*, *Our Government Machinery in Operation*, *Reporting on and to the Community*, *Student Service in the Community*, *Understanding the Economic Community*, *Science and Community Problems*, and *Citizenship Education and the National Emergency*.

A "Materials Card File" is available enabling "teachers to acquaint themselves with a wide variety of instructional materials in a relatively short time." An "Organization Guide" is "designed to assist teachers in incorporating laboratory practices and a greater variety of instructional materials" into the courses they now teach.

"Better Citizenship Education can't wait," says the Project. "If CEP is successful in stimulating a diffusion that reaches all American schools in, say, fifteen or twenty years instead of the normal fifty years, it will be the first time so rapid a spread has ever taken place in American education. Diffusion cannot come too fast. H. G. Wells' oft-quoted 'race between education and catastrophe' has increased its tempo immeasurably since he first made the statement in the days of World War I. Education—if it is to win—must be of the kind that produces citizens who accept freedom as their responsibility as well as their right."

### ***Civic Exchange Organized***

The Illinois Civic Exchange has been organized to "provide a medium through which Illinois organizations

with a civic purpose can exchange information and present their programs to leaders of other civic groups and to provide a medium for joint investigation into matters of common state and local interest." Its functions are informational only. The exchange will endorse no program nor commit its constituent groups in any way. All statewide organizations with a civic purpose may join by paying an annual contribution of \$10; individuals may join for a \$5 contribution.

Dr. D. E. Lindstrom, professor of rural sociology at the University of Illinois, is chairman; Samuel K. Gove, of the Institute of Government and Public Affairs at the University of Illinois, is secretary-treasurer. Meetings have discussed the council-manager plan, the recommendations of the Illinois Commission to Study State Government regarding the state welfare department and what needs to be done to implement the study committee's recommendations on all phases of the state government.

The April meeting discussed legislative apportionment. After a talk on the subject by Tom Page, of the University of Illinois, the membership voted to create a committee to study the question.

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#### Facts Forum

Its primary aim to stimulate interest in local, national and international affairs, Facts Forum has been founded to encourage people to organize themselves into discussion groups for an exchange of ideas and information. The forum has prepared a twenty-page prospectus describing its plan of action, available from the Facts Forum, 720 Mercantile Securities Building, Dallas, Texas.

Every three weeks the forum conducts a public opinion poll on a question submitted by lawmakers or other public figures. Letter-writing contests

on subjects of current interest, with cash prizes as awards, are also conducted. Anyone may form a local group. The organization is supported by H. L. Hunt of Dallas, Texas. No dues or contributions are solicited from members.

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#### New Publications

A new edition of *They Represent You—in Washington, Albany, New York City* (sixteen pages) has been made available by the League of Women Voters of New York City at ten cents. It lists members of Congress, the New York state legislature, the local city council, with maps to aid the voter in locating his districts and representatives.

A description of the local government setup will be found in *The Friendly Village—Mamaroneck, New York*, (sixteen pages), issued by the League of Women Voters of that community. The leaflet contains a historic sketch, lists governmental services, election information of all kinds, and charts the village government.

*Parks and Playgrounds in Tucson* (24 pages) was prepared by the League of Women Voters of that city after a survey of the metropolitan community.

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#### Strictly Personal

George A. McLaughlin of Cambridge is reported by the Massachusetts Civic League as its one thousandth member in the league's recent membership drive. Mr. McLaughlin is one of the founders and past president of the Cambridge Civic Association and past president of the Cambridge Research Association. He also helped organize and was first president of the Massachusetts Plan E Association (now the Council-manager Government Association of Massachusetts).

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Researcher's Digest . . . . . Edited by John E. Bebout

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## Boards, Commissions Compete with Government

### *Widely Different Practices in Manager Cities Reviewed*

THE habit of entrusting important services to more or less independent boards and commissions dies hard in city government. A recent study prepared for the Des Moines city council by Corbett Long, administrative assistant to the city manager, however, indicates a definite trend away from this practice in larger council-manager cities. The 42-page report, *A Report on Boards and Commissions in Council-Manager Cities with Particular Reference to Des Moines*, was issued in February to help the city council determine what ought to be done about the 24 boards and commissions with administrative responsibilities with which Des Moines is saddled by state law and local ordinance.

The report is based on a survey of approximately half of all council-manager cities over 50,000 population scattered among sixteen states. The survey shows that in order to bring Des Moines, which has more boards than any other city in the group, in line with prevailing practice, it would be necessary to reduce the number of such boards to ten and the powers of some of the ten would need to be substantially curtailed.

Aside from boards of education the only administrative boards found in a majority of the cities reporting are planning, zoning appeals, building code appeals, civil service, public housing, electricians examiners, plumbers examiners. Forty-eight per cent of the cities have library boards with ad-

ministrative responsibility, while 28 per cent have library boards with advisory duties only and 24 per cent get along without any library board at all. Only 31 per cent of the library boards with administrative powers control the fixing of employees' pay, purchasing and accounting.

Thirty-seven per cent of the cities have administrative park boards, 20 per cent advisory park boards and the largest number, 43 per cent, have no park board. The report finds evidence of a trend away from administrative park boards in that five out of the six cities that had adopted the council-manager plan within the last three years have no park board or only an advisory park board.

Although most of the cities own their own water works, less than one out of four provides water service through an administrative board. Fewer than one out of six have an administrative board with responsibilities for public health service. Forty-two per cent of the cities have advisory health boards.

While three-fourths of the cities have a civil service board with administrative responsibility, 14 per cent use an advisory personnel board only. The report notes "a distinct trend among cities adopting council-manager government in recent years . . . both to place the responsibility for over-all personnel administration with management and to allow the civil service commission or personnel board much wider participation in the personnel program in an advisory capacity."

Des Moines found that it had a number of boards for which it could find no counterpart in any other city. One of these, required by the Iowa code, is the Comfort Station Commis-



sion consisting of three persons including at least one woman, responsible for all public comfort stations. Another unique body is the Bench Committee, consisting of the city engineer, the city license collector and city street car supervisor, empowered to "approve applications for licenses to place benches" at bus stops.

The report concludes that, although boards and commissions may be considered a useful means of obtaining desirable citizen participation in city affairs, they should usually have advisory powers only, not legislative and administrative powers. The report argues, "If it is taken for granted that the principle of government by representatives elected by the people and responsible to the people is the democratic way to manage and control all local affairs, then giving to any board or commission the power to modify, contradict, delay or preclude the will of the elective city council obviously is not the means either for the most responsive and responsible government or for the promotion of citizen participation."

Professional groups that maintain that certain local services will not receive proper attention unless managed by independent boards "appear fundamentally to be disputing the validity of representative local government itself," observes the report, which points out also that administrative boards and commissions give the elected representatives of the people an opportunity to evade "part of the total responsibility for local affairs." The report concludes, "There are very few municipal functions which neither a city council nor the management of the city is constituted to handle properly."

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#### Conference on Government

The Empire State Association of Commerce conducted a Conference on

Organization and Functions of Government, October 18 and 19, 1951. A number of speeches given at the conference are available in mimeographed form from the association in Albany, N. Y. Among the subjects covered are: New York State's tax system, revenues of local government, town government and officers, the effect of federal actions on state and local finance, the legislative process, and administrative and fiscal management in state government.

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#### New Organization

Three Kansas organizations—Kansas Association of School Boards, Kansas County Commissioners Association and The League of Kansas Municipalities—have joined together in the maintenance of a local government research service.

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#### Bureau Notes

The Governmental Research Association announces the 1952 GRA Annual Awards Competition for the "most noteworthy piece of research" and the "most effective presentation of a subject" submitted by a member agency. The awards will be made at the 1952 annual conference in September.

In a *Special Bulletin*, for April, the Woodbury County (Sioux City, Iowa) Taxpayers Conference has set forth "A General Statement of Policy."

The Michigan State College Governmental Research Bureau, established in July 1951, has published an attractive eleven-page pamphlet presenting information on its aims, current research projects, public service pamphlets and training program.

Summaries of the findings and recommendations of studies made by committees of the Mississippi Economic Council have been published and distributed by the council. The

two-color seven-page brochures are entitled: *Why Mississippi Needs a Good Adult Probation Law*, *Facts About Our State's School Crisis*, and *Ways to Improve Government in Your Home Town*.

The Toledo Municipal League is making a survey of its *Toledo Municipal News*. Through evaluation of the April issue by members, the league hopes to "learn how to improve the *News* so that it will be a more effective medium of citizen education."

The Public Affairs Research Council of Louisiana held its annual council meeting March 27. A resume of the meeting and the report of the executive director may be found in the April issue of the *PAR Reporter*.

### Annual Reports

*Annual Report and Year Book 1952*. Toronto, Citizens Research Institute of Canada, 1952. 31 pp.

*19th Annual Report*. Harrisburg, Pennsylvania Economy League, 1952. 16 pp.

*26th Annual Report—Taxpayer Plans and Progress*. By N. Bradford Trenham. Los Angeles 14, California Taxpayers' Association, *The Tax Digest*, April 1952. 8 pp.

*Thirty-eighth Annual Report 1952*. Toronto, Bureau of Municipal Research, 1952. 14 pp.

### Strictly Personal

Joseph S. Slavet has succeeded Francis X. Moloney as executive secretary of the Boston Municipal Research Bureau. Joseph F. Turley has become the new assistant secretary.

## Research Reports and Articles

### Authorities

**Bi-State Port Agency** — Compact Would Give Port Unit Many Powers,

Subject to Varying Degrees of Control. Philadelphia 7, Bureau of Municipal Research, *Citizens' Business*, April 28, 1952. 4 pp.

### Budgets

**A Report on City and County Budgets 1952**. By James E. Larson and Harold J. Shamberger. Morgantown, West Virginia University, Bureau for Government Research, 1952. 64 pp. Tables.

**The Story Behind the Tax Cut—The League Analyzes the 1952 Allegheny County Budget**. Pittsburgh 19, Pennsylvania Economy League, Western Division, *P. E. L. Newsletter*, March 1952. 10 pp.

### Education

**City-School Relationship Needs Revision**. Providence 3, Governmental Research Bureau (bulletin), March 1952. 2 pp.

**Education—The Finance Problem. Education—Pupil Transportation. Vocational Education**. (Staff Reports 22, 28 and 32 to Committee on Functions and Resources of State Government.) Frankfort, Kentucky Legislative Research Commission, 1952, 1951 and 1952. 43, 46 and 51 pp. respectively.

**Education Salaries**. Buffalo 2, Municipal Research Bureau, *Just a Moment*, April 10, 1952. 4 pp.

### Fire Protection

**Increased Fire Protection for Harrisburg—An analysis of the distribution of existing fire stations and apparatus as related to the fire protection needs of the city of Harrisburg, Pennsylvania**. Harrisburg, Pennsylvania Economy League, Dauphin County Branch, 1951. 34 pp.

### Initiative and Referendum

**The Initiative and Referendum in Maine**. By Lawrence Lee Pelletier. Brunswick, Bowdoin College, *Bowdoin College Bulletin*, March 1951. 35 pp.

### **Intergovernmental Relations**

**Intergovernmental Relations in Public Health.** By Laurence Wyatt. (Number 4 in a series of research monographs edited by William Anderson and Edward W. Weidner.) Minneapolis, University of Minnesota Press, 1951. 212 pp.

### **Local Government**

**Comparison of Borough and Township Government.** By Dorothy M. Kirkpatrick. Harrisburg, Pennsylvania Department of Internal Affairs, 1952. 20 pp.

### **Parking**

**Parking in Connecticut Towns and Cities.** Storrs, University of Connecticut, Institute of Public Service, *Informational Bulletin*, March 1951. 15 pp.

### **Purchasing**

**Lower Prices in County Highway Department Purchasing.** Schenectady 5, Bureau of Municipal Research, *Research Brevities*, April 9, 1952. 3 pp.

### **Refuse Collection**

**Proposed Refuse Collection Ordinance.** Waterbury 2 (Connecticut), Taxpayers' Association, *Governmental Briefs*, April 4, 1952. 3 pp.

### **Research**

**Proceedings of the Eleventh Annual Conference of the Western Governmental Research Association.** Berkeley, the Association, 1952. 32 pp. \$1. (Apply 346 Library Annex, University of California, Berkeley.)

### **Research Bureaus**

**Effective Citizen Action.** By Alfred F. Smith. New York 20, Governmental Research Association *GRA Reporter*, March-April 1952. 3 pp.

### **Retirement Systems**

**Retirement of Public Employees in Kansas.** By William H. Cape. Lawrence, University of Kansas, Bureau of Government Research, *Your Government*, April 15, 1952. 3 pp.

### **Salaries**

**Report of the Citizens' Advisory Committee on City Salaries and**

**Wages.** Rochester, New York, the Committee, 1951. 73 pp.

### **Taxation and Finance**

**City Operating Expenditures—Compared with Other Cities, Philadelphia's Per Capita Operating Expenditures Are Small.** Philadelphia 7, Bureau of Municipal Research, *Citizens' Business*, April 7, 1952. 4 pp.

**County Tax Levies Up \$61 Million in Six Postwar Years.** Albany, Citizens Public Expenditure Survey, *New York State Taxpayer*, April 1952. 2 pp. 10 cents.

**The Permissive Gross Receipts Tax.** By Homer E. Scace. Albany, Empire State Association of Commerce, Department of Governmental Affairs, 1951. 16 pp.

**"A Tale of Three Cities"—Comparative Tax Rates and Taxes.** (Duluth, Minneapolis, St. Paul). 1952 Tax Dollar. Duluth 2, Governmental Research Bureau, *Citizen's Business*, December 26, 1951, and January 25, 1952. 1 and 2 pp. respectively.

**Tax Control Is the Solution For Our Tax Problem Here in Dade County.** Miami 32, (Florida) Dade County Research Foundation, *News Letter*, March 10, 1952. 5 pp.

### **Trailers**

**The Regulation and Taxation of Trailer Housing.** Philadelphia 4, Associated Institutes of Government of Pennsylvania Universities, University of Pennsylvania, *Municipal Administration*, March 1952. 3 pp.

### **Transit**

**Transit Situation.** Philadelphia Transportation Company's Request for Increased Fares Leads to Discussion of City-P. T. Co. Relations. Philadelphia 7, Bureau of Municipal Research, *Citizens' Business*, March 17, 1952. 5 pp.

**Municipal Railway Deficit. Transit Fares in Twenty Metropolitan Centers.** San Francisco, Bureau of Governmental Research, February 15 and 29, 1952. 1 p. each.



# Books in Review

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**Government Organization in Metropolitan Areas.** By Betty Tableman. Ann Arbor, University of Michigan Press, 1951. vii, 200 pp.

The first half of this admirable and important pamphlet looks over the 168 metropolitan areas where 56 per cent of our population dwells and examines the disorderly tangle of governmental problems that have arisen by reason of the sprawling out of population beyond the reach of the old annexation procedures. The makeshift and belated adjustments which time and necessity have produced throughout the country are surveyed and the news of their experience and condition is brought down to date.

The second half relates with similar care and competence the problems of metropolitan areas in Michigan and the failures to solve them by logical processes such as modernizing county governments to enable them to provide municipal types of service over enlarged areas — an advance that county officers themselves have stoutly resisted. Sales of services by cities to their fringe areas are the favorite Michigan palliation of the difficulties. Hopeful interest in county planning is reported.

The value of the volume is in the unique and immense assemblage of past experience rather than in drawing therefrom conclusions and forward programs.

R.S.C.

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**American Urban Communities.** By Wilbur C. Hallenbeck. New York, Harper & Brothers, 1951. 617 pp. \$6.

This obviously competent volume undertakes to survey the geographic, historical, governmental, economic and social realities of American cities as

such and to gather the significant phenomena into a single up-to-date picture. Its material is largely a selection of the pertinent facts and authoritative reports developed by specialists and the best local workers all over the country—an immense collection, well analyzed and illustrated, uncolored by originality of interpretation or purpose.

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**Making Good Communities Better.** By Irwin T. Sanders. Lexington, University of Kentucky Press, 1950. 174 pp. \$2.50.

A common sense check list of methods whereby citizens outside of government can avoid mistakes and stir communities to accomplishment. Seventeen authorities have contributed chapters in identical form on such topics as "Organizing Communities Composed of Diverse Cultural Groups" or "How the Public School Can Serve the Community" or planning a meeting.

The handbook was developed primarily to aid community workers in Kentucky.

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**The Labor Problem in the Public Service.** A Study in Political Pluralism. By Morton Robert Godine. Cambridge, Massachusetts, Harvard University Press, 1951. xii, 305 pp. \$5.

The continuing controversy over the rights and responsibilities of government and its employees in their mutual relations has been penetratingly studied and set forth in this compact volume by a participant in industry and an observer of government. It covers a wide scope and shows a sweeping acquaintance with public personnel problems and authorities, administrators and students who have

dealt with and written about them—although the style of presentation might well have been more simple.

The author traces the development of labor problems and employee organization in the public service, the theoretical and practical relations of employees and the public employer, the field for employee activity and the forms it takes, and suggests principles and methods for collective negotiation.

The justifications and opportunities for employee organizations are stressed with special emphasis on collective bargaining—which he suggests might be otherwise designated because of vital distinctions between governmental employment and work in the competitive field of private-profit industry. He disallows the strike as a means of enforcing demands but does not rely on a narrow legalistic viewpoint of governmental authoritarianism. He advocates a public wage policy imbued with legislative principles and standards, without undue limitation of administrative action and with adequate opportunity for employee participation in wage determinations within and with the protection of a legal framework of principles and criteria.

He would preserve the right of employee groups to attempt to influence the legislature but says, "A basic purpose of collective negotiation conducted in good faith is to render the resort to lobbying less necessary through the substitution of more satisfactory administrative procedures."

H. M. O.

**State Court Systems** (Revised). Chicago, Ill., Council of State Governments, 1951. 27 pp. \$1.00.

Seven tables setting forth the status of judges in all the states in respect to method of selection, salaries, qualifi-

cations, etc., with changes made by the 1951 legislatures, bringing up-to-date the council's similar report of 1950.

## **Additional Books and Pamphlets**

(See also *Researcher's Digest* and other departments)

### **Administration**

**How to Make a Procedure Manual.** By H. John Ross. Miami 25, Florida, Office Research Institute (Post Office Box 4099), 1951. 130 pp. Illus. \$4.50.

### **Blighted Areas**

**Public Services and Blighted Areas.** A Study of Two Areas in Louisville, Kentucky. A Joint Report of the Louisville and Jefferson County Planning and Zoning Commission and the City of Louisville Municipal Housing Commission. Louisville, Kentucky, The Housing Commission, 1951. 41 pp.

### **Consolidation**

**Annexation, Governmental and Functional Consolidation, and City Planning.** Letter from the Board of Public Land Commissioners to the City of Milwaukee Administrative Survey Committee. Milwaukee, Board of Public Land Commissioners, 1952. 11 pp.

**Kalamazoo City-township Consolidation?** A Report Prepared for the Greater Kalamazoo Home Improvement Committee. By Elton W. Ham. Kalamazoo, Michigan, City-College Bureau of Municipal Research Library, 1951. 61 pp. (Copies available only on loan.)

### **Council-manager Government**

**Report on Accomplishments of Commission-Manager Government in the City of Manhattan.** Manhattan, Kansas, Office of City Manager, 1952. 7 pp.



### **Defense Industry**

**Impact of Defense Industries on Communities—A Selected Bibliography.** Chicago, American Society of Planning Officials, 1951. 6 pp. 50 cents.

### **Door-to-door Selling**

**Restrictions on House-to-House Selling.** Washington 6, D. C., Chamber of Commerce of the United States, Domestic Distribution Department, 1952. 3 pp.

### **Education**

**Specialized Services — Cincinnati Public Schools.** Superintendent's Annual Report 1950-1951. Cincinnati 2, Public Schools, 1952. 35 pp. Illus.

### **Fire Prevention**

**Fire Prevention Ordinances.** Ann Arbor, Michigan Municipal League, 1951. 19 pp.

### **Licenses**

**Miscellaneous License Fees in New York State Cities and Villages.** Albany, New York State Conference of Mayors, Bureau of Municipal Information, 1951. 43 pp.

**The Use of the Licensing Power by the City of Chicago.** By Malcolm B. Parsons. Urbana, University of Illinois Press, 1952. x, 198 pp. \$3.50 paper, \$4.50 cloth.

### **Metropolitan Areas**

**Metropolitan Problems — Proceedings of the First Annual Conference on Public Affairs—1951.** Wichita, University of Wichita, 1951. 40 pp.

### **Salaries**

**Pay Fringe Benefits—Current Municipal Practices.** A survey of 28 cities in the 300,000-and-over population group relating to shift differential, overtime, sick leave, holiday and vacation practices. By Robert C. Garnier. Milwaukee, City Service Commission, 1951. 21 pp.

**Wage and Salary Survey in Los Angeles County.** City of Los Angeles, City Schools of Los Angeles, County of Los Angeles, Los Angeles City

Housing Authority. Los Angeles 12, Mayor's Office, 1952. 16 pp.

### **Service Charges**

**Fire Service Charges to Persons and Agencies Outside of Minneapolis.** Minneapolis, Office of Research Engineer, 1951. 10 pp.

### **Streets**

**A Guide to Street Naming and Property Numbering.** Nashville 3, Tennessee State Planning Commission, 1951. 47 pp. \$1.

### **Taxation and Finance**

**Federal Excise Taxes—Exemptions Allowed Local and State Governments—Revenue Act of 1951.** Chicago 37, Municipal Finance Officers Association of the United States and Canada, 1952. 4 pp. 50 cents.

### **Textbooks**

**Essentials of American Government.** By Frederic A. Ogg and P. Orman Ray (Seventh Edition). New York, Appleton-Century-Crofts, Inc., 1952. x, 774 pp. \$5.

### **Traffic Safety**

**Operation Safety.** Program Kit on Traffic Safety Promotion. Theme July 1952, **Vacation Driving.** Chicago 11, National Safety Council, 1952. Variouslly paged.

**Somebody Gambled.** Safety Kit. Chicago 11, Advertising Council, 1952. Variouslly paged.

### **Urban Redevelopment**

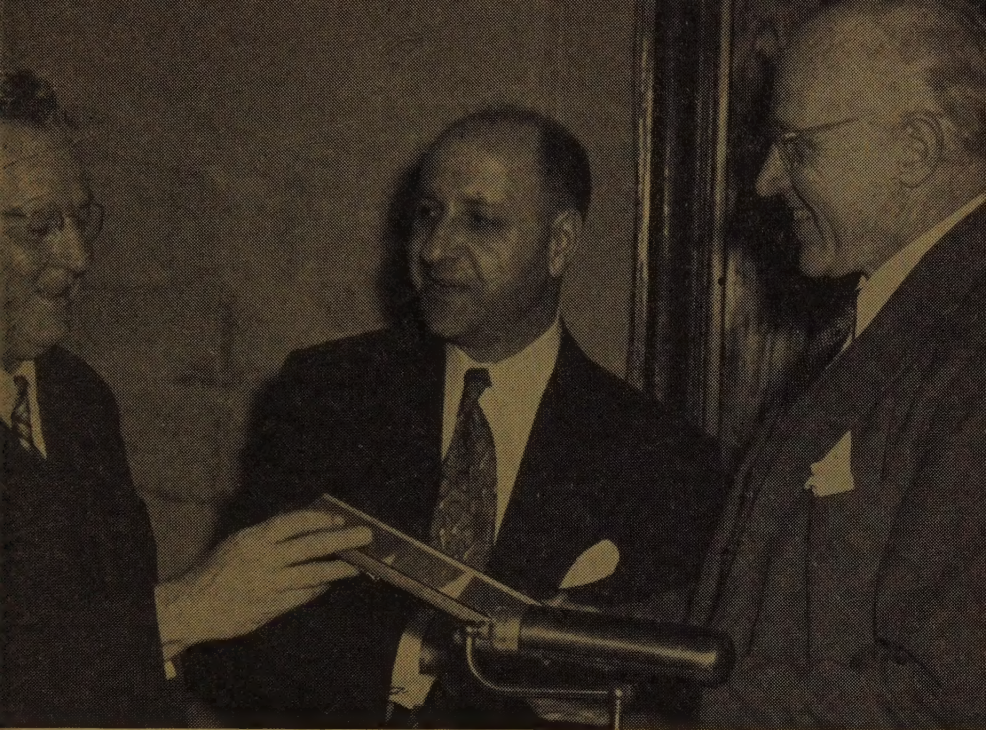
**A Selected Bibliography Related to the Legal and Financial Aspects of Urban Redevelopment.** By Charles F. O'Brien. Columbus, Ohio State University, College of Law Library, 1951. 9 pp. 25 cents.

**Urban Redevelopment—A Tool of Reconstruction.** Cleveland 14, Regional Association, 1951. 22 pp.

### **Water**

**Fundamental Considerations in Rates and Rate Structures for Water and Sewage Works.** A Joint Report. Chicago, Municipal Finance Officers Association, 1951. 126 pp.





Mayor John B. Hynes (left) of Boston and Antonino F. Iovino, chairman of the New Boston Committee, receiving "All-American City" award from Spencer Miller, Jr., (right) who presented certificate on behalf of the National Municipal League and The Minneapolis Tribune, co-sponsors.

## Boston Honored for Civic Progress

Hailing the leadership of the New Boston Committee as "a new moral crusade for civic decency," Spencer Miller, president of American International College and a member of the National Municipal League's Council, presented the "All-American City" award to the citizens of Boston at a dinner at the Parker House April 22.

The award, received by Mayor John B. Hynes and Antonino F. Iovino, chairman of the New Boston Committee, was, as Dr. Miller pointed out in his address, "in recognition of the progress achieved through intelligent citizen action."

Terming the successful drive of the New Boston Committee to save the city from "Curleyism" one of the "notable revolts of this century," Dr. Miller led it logical and inevitable that it could have been organized and led by youth, as another revolt was by Boston

young men at the beginning of the American revolution.

"True reform begins at the grass roots with a few concerned citizens who have a vision of a better social and political order and a will to achieve it," he said. "It is achieved when the will to reform of the few has become the conviction of the many. Our duty as good citizens is to encourage the few in their efforts even as it is our privilege to rejoice with the many in their achievements."

"Responsible participation by the citizens in the processes of local government is both the beginning of wisdom and the essence of responsible citizenship," Dr. Miller went on. "Such a citizenship is our great need today."

"So many of the functions of local government in recent years have been transferred to the state and federal

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## Edy, Noted City Manager, Dies in Houston

John N. Edy who, over a period of twenty years served as city manager in five cities, died May 10 in Houston, Texas, where he had remained as president of the Industrial Road Equipment Corporation after being city manager of that city from 1943 to 1945.

Mr. Edy had been city manager of Berkeley, California; Flint, Michigan; Dallas, Texas; and Toledo, Ohio, in addition to Houston. He also held several high administrative posts with the federal government in Washington. He was president of the International City Managers' Association in 1927-28.

Long active in the National Municipal League, Mr. Edy served on the Committee on a Model City Charter and other committees and had been a member of the Council and an honorary vice president.

## H. L. Shattuck Leaves Harvard Leadership

Henry L. Shattuck, long an active leader of the National Municipal League, retired in May as senior member of the seven-man Corporation of Harvard University after twenty-three years of service in Harvard posts.

Mr. Shattuck, who has served at various times as vice president and member of the Council of the League, is of the Boston law firm of Shattuck and Brooks.

## Boston Honored

*(Continued from previous page)*

governments that the average citizen has become bewildered about his role as a participant in civic affairs. He tends to forget that local government is our oldest government and should

be our best, that better government begins at home.

"With this loss of participation in local affairs, there has developed a sense of irresponsibility toward all government and even a neglect of the duty of citizenship. The price we pay for gaining our rights as citizens is that we become immediately aware of our responsibilities. Rights have no existence apart from duties. The possession and assumption of both is the earmark of the good citizen."

Dr. Miller urged the New Boston Committee, which began as a group of young people and later expanded to include others, to remain watchful and to maintain a strong, well supported organization.

He stressed the fact that the citizens of a historic city like Boston, well known throughout the world, have a special obligation to demonstrate effective democracy. "One of the finest achievements of your effort is the spirit of friendly tolerance and good will that has prevailed among racial, religious and economic groups composing the New Boston Committee. You have brought all these groups together on the basis of their common citizenship. You have established the fact that the desire for a working democracy prevails among all groups and all men of good will. That, too, is the new Boston spirit—that is the democratic faith at its best."

"The country as a whole has a vital interest in the civic struggles, victories and defeats of every community," he said. "That is why the National Municipal League was founded. That is why it has continued to exist. That explains this latest civic award that has been established. Your victory here in Boston becomes a victory in which the whole nation can take pride—and does."